PHA 5-Year and Annual Plan

U.S. Department of Housing and Urban Development Office of Public and Indian Housing

OMB No. 2577-0226 Expires 4/30/2011

1.0	PHA Information					
	PHA Name: Kauai County Housing A				e: <u>HI-005</u>	
	PHA Type: Small High Po	erforming	☐ Standard	☑ HCV (Section 8)		
	PHA Fiscal Year Beginning: (MM/YYYY):	07/2011				
2.0	Inventory (based on ACC units at time of FY	beginning in	1.0 above)			
	Number of PH units:		Number of HC	CV units: <u>1345</u>		
3.0	Submission Type					~~~~
	5-Year and Annual Plan	🔀 Annual Pla	in Only	5-Year Plan Only		
4.0	PHA Consortia	A Consortia: t	(Check box if submitting a join	t Plan and complete table belo	t var	
			(contain now it admitted a join	is a fair tally complete tally con-		
		PHA	Program(s) Included in the	Programs Not in the	No. of Units	s in Each
	Participating PHAS	Code	Consortia	Consortia	Program	
		Coue	Consorna	Consortia	PH	HCV
	PHA 1:			***************************************		
	PHA 2:	***************************************				
	PHA 3:				*************	
5.0	5-Year Plan. Complete items 5.1 and 5.2 only	at 5-Vear Pla	n undate		<u> </u>	L
J.0		at 5 rour x re	in update,			
5.1	Mission. State the PHA's Mission for serving	the needs of	low-income very low-income	and extremely low income for	miliac in the DI	ΙΑ',
J.1	iurisdiction for the next five years:	, the needs of	iow-meome, very iow-meome,	and extremely low income tai	mmes m me f	1/4 8
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5.2	Goals and Objectives. Identify the PHA's qui	antifiable goa	is and objectives that will enab	ale the PHA to serve the needs	of low-income	and very
	low-income, and extremely low-income familie	es for the nex	t five years Include a report o	n the progress the PHA has me	ade in meeting	the onaic
	and objectives described in the previous 5-Year	r Plan	a area y suite, and une une post o	was progress the 11111 mas in	are or meeting	are goms
	and degree described in the provious 5 Year	, , , , , , , , , , , , , , , , , ,				
	PHA Plan Update	······································				
	Table of the second of the sec					
	(a) Identify all PHA Plan elements that	of have been re	evised by the PHA since its las	t Annual Plan cubmiccion		
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6.0	None.					
0.0						
	(b) Identify the specific location(s) whe	ere the public	may obtain copies of the 5-Ye	ar and Annual PHA Plan For	a complete list	t of DIJA
	Plan elements, see Section 6.0 of the	e instructions	: -	a and randa i tart i an. For	a complete no	COLLINA
	Kauai County Housing A		•			
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	Lihue, HI 96766	330				
	3, 12 70 700					
7.0	Hope VI, Mixed Finance Modernization or I	Development	Demolition and/or Dispositi	on Conversion of Public Uo	using Uomaa	
7.00	Programs, and Project-based Vouchers. Inc	Inda statemes	ete related to these programs a	e annlicable M/A	asing, monico	waer surh
	210gramo, and 110geet based 1 odeners, the	inac sinicinci	us retuted to these programs a	з иррисавие.мл		
8.0	Capital Improvements. Please complete Parts	e 8 1 through	8.2 ac applicable N/A			
0.0	Capital improvements. Thease complete talk	s o.i unough	6.5, as applicable. 1974			
	Capital Fund Program Annual Statement/Po	erformence o	and Fuelingtion Popert Age	net of the DUA & Voca and An	and Diam amor	
8.1	complete and submit the Capital Fund Program	m Anneal Cta	toward/Domformers as and Establish	art of the Pria 3- real and An	niai Pian, annu	iany
	onen CEP grant and CEEP financing M/A	m Annuut Stat	iemenvrerjormance ana Evaiu	ation Report, 10tm HUD-500	3.1, for each c	urrent and
	open CFP grant and CFFP financing. N/A					
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8.2	Capital Fund Program Five-Year Action Pla	an. As part of	t the submission of the Annual	Plan, PHAs must complete an	d submit the C	apital Fund
	Program Five-Year Action Plan, form HUD-50				it year, and add	I latest year
	for a five year period). Large capital items mus	isi de included	in the Five-Year Action Plan.	IVA		
		·····				
8.3	Capital Fund Financing Program (CFFP).				_	
	Check if the PHA proposes to use any portion	ion of its Capi	ttai Fund Program (CFP)/Repla	cement Housing Factor (RHF)	to repay debt	incurred to
	finance capital improvements. N/A					
					•	

9.0	Housing Needs. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.
	See Attachment A: Source: 2010-2015 Consolidated Plan
	Strategy for Addressing Housing Needs. Provide a brief description of the PHA's strategy for addressing the housing needs of families in the
9.1	jurisdiction and on the waiting list in the upcoming year. Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan. See Attachment A: Source: County of Kauai 2010-2015 Consolidated Plan
	See Attachment A. Source. County of Kauar 2010-2013 Consolidated Fidil

Additional Information. Describe the following, as well as any additional information HUD has requested.

- (a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year Plan.
 - · Expand the supply of existing housing.
 - Leverage private or other public funds to create additional housing opportunities. Progress: The 2nd phase of affordable housing project Paanau Village has begun. The developer has been chosen and the tax credits have been applied for. In addition, a recent purchase of 75 acres on the west side of the island will go with our longer term strategy of providing affordable units throughout the decade.

Update: Paanau Village continues to progress. The Class III Zoning Permit for Pa'anau Village Phase 2 is still in process. No permit has been issued yet. She estimated this would be issued at the end of this month. The building permit application is in and will probably not move forward until late February or March.

 Increase Homeownership Opportunities: Progress: The Housing Agency continues to move several clients through the Homeownership process adding 2 additional Homeownership Vouchers and several pending in the next few months.

Update: See attached Homeownership update matrix on the ongoing activities of the Homeownership Program. Due to the recent economic downturn, we are seeing a smaller level of interest than in previous years.

- Improve the Quality of Assisted Housing
 - o Improve Voucher Management Score Progress: Our recent SEMAP Score (unaudited) has risen.

Update: Creating and finalizing an ongoing SEMAP processing for year round PHA level scoring. In the past, due to staffing and management shortages, SEMAP testing was done sporadically and not followed up on consistently. We are currently finalizing a plan to do monthly progress reports that should have been implemented years ago using the tools that HUD had provided us in the past. The Policy will set forth standards and operating procedures to ensure adequate annual SEMAP scores.

 Increase customer satisfaction — Progress: We are completing a Customer Service Survey to look at areas of improvement in the services we provide. We expect this to go out to tenants and Landlords in late spring/early summer.

Update: In conjunction with the County of Kaua'i, an "aloha starts with me" survey was given out to all agencies to post in the front of the offices where the public is served. All responses received were compiled in a monthly report. All responses regarding housing agency were positive.

Concentrate efforts to improve specific management functions – Progress – this is ongoing. With relatively new Program and Assistant Program Managers, we continue to look at ways to assist our caseworkers and clients. 100% Quality Control of files has identified areas where lack of consistency has been a problem in the past. Assistant Program Manager now meets with caseworkers on a monthly basis to discuss issues specifically related to case management.

Update: Monthly meetings with caseworkers have identified areas of concerns to caseworkers and constant update to forms and procedures are done on an ongoing basis.

- Increase assisted Housing Choices:
 - Provide voucher mobility counseling.

Progress: We have seen a large outflux of tenants moving to other states, mostly due to economic concerns, additional job opportunities and moving to be closer to family and family resources. We are counseling people who are struggling here on the portability options of their vouchers.

Conduct Outreach to Potential Landlords;

Updates: the Program Manager and Assistant Program Manager continues to communicate with island property managers, real estate brokers, realtors and private owners to explain the program in further detail. The creation of our Landlord Handbook has answered many of the questions they may hav regarding forms and processes and their responsibility and as landlord owners under the Section 8 Program. Fortunately, the market has turned in Section 8 participant's favor as many rentals remain available at lower costs and are willing to take less than asking price.

- Promote self-sufficiency and asset development of assisted households
 - Increase number and percentage of employed persons in assisted families.

Update: The downturn in the economy has caused many families to lose jobs or become laid off and are now collecting unemployment. Although there is some employment activity, most of the activity appears to be part-time in nature, driving down incomes and raising HAP. The FSS program continues to review families on the FSS program to ensure compliance and terminate families that are not fully participating in the program to maximize other families opportunities to gain assistance with employment under the FSS program. FSS is seeing a downturn of readily employable participants due to the Extremely low nature of the current waiting list callus due to the Extremely Low Targeting

10.0

o Provide or attract supportive services to improve assistance recipients' employability.

Update: KCHA continues to work with both public and non-profit service providers to assist our families with training and employment opportunities. Recently the county has completed renovation of part of the county building which will be leased on a long term basis to the State Workforce Development Agency creating a one-stop show that is next to the Housing Agency. The ability to work closely with this agency on certain cases has enabled us to be more pro-active with employment choices for participants.

Provide or attract supportive services to increase independence for elderly of families with disabilities.

Update: KCHA continues to work closely with Office of Elderly Affairs, Legal Aid, County ADA Coordinator to ensure that tenants are provided with applicable services and opportunities for elderly and families with disabilities.

- Ensure Equal Opportunity in Housing for All Americans:
 - Undertake affirmative measures to ensure access to assisted housing regardless of race color, religion, national origin, sex, familial status and disability.

Update – the KCHA recently co-sponsoring the annual Fair Housing Seminar which will be held in April. Presenters include HUD (Jelani), Legal Aid Society and the Hawai'i Civil Rights Commission. Brochures have been mailed to all current participating Section 8 Landlords. In addition, an study has been completed title "Impediments to Fair Housing" study has been completed (see Attachment B)

 Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion, national origin, sex, familial status and disability.

Update: All Section 8 staff members attend Fair Housing seminar put on by KCHA. In addition, they are provided training opportunities on an annual basis which covers Fair Housing. The county of Kaua'i Fair Housing Officer's office is in the Housing Agency office. We always refer Fair Housing Questions to her directly or consult with her on particular cases.

(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"

In accordance with 24 CFR 903.72 which requires Public Housing Authorities to identify the basic criteria the agency will use to determine a substantial deviations from its 5-year Plan and significant Amendments or modifications to the 5-Year Plan and Annual Plan, the following definitions are used:

Substantial Deviation: A substantial change in the goals identified in the five year plan. Deleting or Changing a goal to the point that it is no longer similar in substance to the original goal would be considered a "substantial" deviations.

Substantial Amendment/Modification: Adding or eliminating major strategies listed in the PHA Plan including changes in policies governing eligibility, selection or admissions and rent determination.

- 11.0 Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. Note: Faxed copies of these documents will not be accepted by the Field Office.
 - (a) Form HUD-50077, PHA Certifications of Compliance with the PHA Plans and Related Regulations (which includes all certifications relating to Civil Rights)
 - (b) Form HUD-50070, Certification for a Drug-Free Workplace (PHAs receiving CFP grants only)
 - (c) Form HUD-50071, Certification of Payments to Influence Federal Transactions (PHAs receiving CFP grants only)
 - (d) Form SF-LLL, Disclosure of Lobbying Activities (PHAs receiving CFP grants only)
 - (e) Form SF-LLL-A, Disclosure of Lobbying Activities Continuation Sheet (PHAs receiving CFP grants only)
 - (f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.
 - (g) Challenged Elements
 - (h) Form HUD-50075.1, Capital Fund Program Annual Statement/Performance and Evaluation Report (PHAs receiving CFP grants only)
 - (i) Form HUD-50075.2, Capital Fund Program Five-Year Action Plan (PHAs receiving CFP grants only)

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced 5-Year and Annual PHA Plans. The 5-Year and Annual PHA plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form is to be used by all PHA types for submission of the 5-Year and Annual Plans to HUD. Public reporting burden for this information collection is estimated to average 12.68 hours per response, including the time for

reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality

Instructions form HUD-50075

Applicability. This form is to be used by all Public Housing Agencies (PHAs) with Fiscal Year beginning April 1, 2008 for the submission of their 5-Year and Annual Plan in accordance with 24 CFR Part 903. The previous version may be used only through April 30, 2008.

1.0 PHA Information

Include the full PHA name, PHA code, PHA type, and PHA Fiscal Year Beginning (MM/YYYY).

2.0 Inventory

Under each program, enter the number of Annual Contributions Contract (ACC) Public Housing (PH) and Section 8 units (HCV).

3.0 Submission Type

Indicate whether this submission is for an Annual and Five Year Plan, Annual Plan only, or 5-Year Plan only.

4.0 PHA Consortia

Check box if submitting a Joint PHA Plan and complete the table.

5.0 Five-Year Plan

Identify the PHA's Mission, Goals and/or Objectives (24 CFR 903.6). Complete only at 5-Year update.

- **5.1** Mission. A statement of the mission of the public housing agency for serving the needs of low-income, very low-income, and extremely low-income families in the jurisdiction of the PHA during the years covered under the plan.
- 5.2 Goals and Objectives. Identify quantifiable goals and objectives that will enable the PHA to serve the needs of low income, very low-income, and extremely low-income families.
- 6.0 PHA Plan Update. In addition to the items captured in the Plan template, PHAs must have the elements listed below readily available to the public. Additionally, a PHA must:
 - (a) Identify specifically which plan elements have been revised since the PHA's prior plan submission.
 - (b) Identify where the 5-Year and Annual Plan may be obtained by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on its official website. PHAs are also encouraged to provide each resident council a copy of its 5-Year and Annual Plan.

PHA Plan Elements. (24 CFR 903.7)

- Eligibility, Selection and Admissions Policies, including Deconcentration and Wait List Procedures. Describe the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV and unit assignment policies for public housing; and procedures for maintaining waiting lists for admission to public housing and address any site-based waiting lists.
- 2. Financial Resources. A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA Operating, Capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The

statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources.

- Rent Determination. A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units.
- 4. Operation and Management. A statement of the rules, standards, and policies of the PHA governing maintenance management of housing owned, assisted, or operated by the public housing agency (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA.
- Grievance Procedures. A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants.
- 6. Designated Housing for Elderly and Disabled Families. With respect to public housing projects owned, assisted, or operated by the PHA, describe any projects (or portions thereof), in the upcoming fiscal year, that the PHA has designated or will apply for designation for occupancy by elderly and disabled families. The description shall include the following information: 1) development name and number; 2) designation type; 3) application status; 4) date the designation was approved, submitted, or planned for submission, and; 5) the number of units affected.
- 7. Community Service and Self-Sufficiency. A description of: (1) Any programs relating to services and amenities provided or offered to assisted families; (2) Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs under Section 3 and FSS; (3) How the PHA will comply with the requirements of community service and treatment of income changes resulting from welfare program requirements. (Note: applies to only public housing).
- 8. Safety and Crime Prevention. For public housing only, describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must include: (i) A description of the need for measures to ensure the safety of public housing residents; (ii) A description of any crime prevention activities conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities.
- Pets. A statement describing the PHAs policies and requirements pertaining to the ownership of pets in public housing.
- 10. Civil Rights Certification. A PHA will be considered in compliance with the Civil Rights and AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to

- affirmatively further fair housing, and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction.
- Fiscal Year Audit. The results of the most recent fiscal year audit for the PHA.
- 12. Asset Management. A statement of how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory.
- 13. Violence Against Women Act (VAWA). A description of: 1) Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; 2) Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and 3) Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families.
- 7.0 Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers
 - (a) Hope VI or Mixed Finance Modernization or Development.

 A description of any housing (including project number (if known) and unit count) for which the PHA will apply for HOPE VI or Mixed Finance Modernization or Development; and 2) A timetable for the submission of applications or proposals. The application and approval process for Hope VI, Mixed Finance Modernization or Development, is a separate process. See guidance on HUD's website at: http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm
 - (b) Demolition and/or Disposition. With respect to public housing projects owned by the PHA and subject to ACCs under the Act: (1) A description of any housing (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition; and (2) A timetable for the demolition or disposition. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD's website at:

http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm

Note: This statement must be submitted to the extent that approved and/or pending demolition and/or disposition has changed.

- (e) Conversion of Public Housing. With respect to public housing owned by a PHA: 1) A description of any building or buildings (including project number and unit count) that the PHA is required to convert to tenant-based assistance or that the public housing agency plans to voluntarily convert; 2) An analysis of the projects or buildings required to be converted; and 3) A statement of the amount of assistance received under this chapter to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at: http://www.hud.gov/offices/pih/centers/sac/conversion.cfm
- (d) Homeownership. A description of any homeownership (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval.

- (e) Project-based Vouchers. If the PHA wishes to use the project-based voucher program, a statement of the projected number of project-based units and general locations and how project basing would be consistent with its PHA Plan.
- 8.0 Capital Improvements. This section provides information on a PHA's Capital Fund Program. With respect to public housing projects owned, assisted, or operated by the public housing agency, a plan describing the capital improvements necessary to ensure long-term physical and social viability of the projects must be completed along with the required forms. Items identified in 8.1 through 8.3, must be signed where directed and transmitted electronically along with the PHA's Annual Plan submission.
 - 8.1 Capital Fund Program Annual Statement/Performance and Evaluation Report. PHAs must complete the Capital Fund Program Annual Statement/Performance and Evaluation Report (form HUD-50075.1), for each Capital Fund Program (CFP) to be undertaken with the current year's CFP funds or with CFFP proceeds. Additionally, the form shall be used for the following purposes:
 - (a) To submit the initial budget for a new grant or CFFP;
 - (b) To report on the Performance and Evaluation Report progress on any open grants previously funded or CFFP; and
 - (c) To record a budget revision on a previously approved open grant or CFFP, e.g., additions or deletions of work items, modification of budgeted amounts that have been undertaken since the submission of the last Annual Plan. The Capital Fund Program Annual Statement/Performance and Evaluation Report must be submitted annually.

Additionally, PHAs shall complete the Performance and Evaluation Report section (see footnote 2) of the Capital Fund Program Annual Statement/Performance and Evaluation (form HUD-50075.1), at the following times:

- At the end of the program year; until the program is completed or all funds are expended;
- When revisions to the Annual Statement are made, which do not require prior HUD approval, (e.g., expenditures for emergency work, revisions resulting from the PHAs application of fungibility); and
- Upon completion or termination of the activities funded in a specific capital fund program year.

8.2 Capital Fund Program Five-Year Action Plan

PHAs must submit the Capital Fund Program Five-Year Action Plan (form HUD-50075.2) for the entire PHA portfolio for the first year of participation in the CFP and annual update thereafter to eliminate the previous year and to add a new fifth year (rolling basis) so that the form always covers the present five-year period beginning with the current year.

- 8.3 Capital Fund Financing Program (CFFP). Separate, written HUD approval is required if the PHA proposes to pledge any portion of its CFP/RHF funds to repay debt incurred to finance capital improvements. The PHA must identify in its Annual and 5-year capital plans the amount of the annual payments required to service the debt. The PHA must also submit an annual statement detailing the use of the CFFP proceeds. See guidance on HUD's website at:
 - http://www.hud.gov/offices/pih/programs/ph/capfund/cffp.cfm
- 9.0 Housing Needs. Provide a statement of the housing needs of families residing in the jurisdiction served by the PHA and the means by which the PHA intends, to the maximum extent practicable, to address those needs. (Note: Standard and Troubled PHAs complete annually; Small

- and High Performers complete only for Annual Plan submitted with the 5-Year Plan).
- 9.1 Strategy for Addressing Housing Needs. Provide a description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. (Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).
- **10.0** Additional Information. Describe the following, as well as any additional information requested by HUD:
 - (a) Progress in Meeting Mission and Goals. PHAs must include (i) a statement of the PHAs progress in meeting the mission and goals described in the 5-Year Plan; (ii) the basic criteria the PHA will use for determining a significant amendment from its 5-year Plan; and a significant amendment or modification to its 5-Year Plan and Annual Plan. (Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).
 - (b) Significant Amendment and Substantial Deviation/Modification. PHA must provide the definition of "significant amendment" and "substantial deviation/modification". (Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan.)
 - (c) PHAs must include or reference any applicable memorandum of agreement with HUD or any plan to improve performance. (Note: Standard and Troubled PHAs complete annually).

- 11.0 Required Submission for HUD Field Office Review. In order to be a complete package, PHAs must submit items (a) through (g), with signature by mail or electronically with scanned signatures. Items (h) and (i) shall be submitted electronically as an attachment to the PHA Plan
 - (a) Form HUD-50077, PHA Certifications of Compliance with the PHA Plans and Related Regulations
 - (b) Form HUD-50070, Certification for a Drug-Free Workplace (PHAs receiving CFP grants only)
 - (c) Form HUD-50071, Certification of Payments to Influence Federal Transactions (PHAs receiving CFP grants only)
 - (d) Form SF-LLL, Disclosure of Lobbying Activities (PHAs receiving CFP grants only)
 - (e) Form SF-LLL-A, Disclosure of Lobbying Activities
 Continuation Sheet (PHAs receiving CFP grants only)
 - (f) Resident Advisory Board (RAB) comments.
 - (g) Challenged Elements. Include any element(s) of the PHA Plan that is challenged.
 - (h) Form HUD-50075.1, Capital Fund Program Annual Statement/Performance and Evaluation Report (Must be attached electronically for PHAs receiving CFP grants only). See instructions in 8.1.
 - (i) Form HUD-50075.2, Capital Fund Program Five-Year Action Plan (Must be attached electronically for PHAs receiving CFP grants only). See instructions in 8.2.

IV. NEEDS

The information and data provided in Section IV. Needs is provided by the State Hawaii Housing Finance and Development Corporation.

A. Estimate of housing need for 2010-2015

Statewide, approximately 29,400 new units are needed to meet overall housing demand. This estimate of housing need includes the existing "pent up" demand for housing which is assumed to be satisfied over 20 years, as well as anticipated demand based on the formation of new households.

Table IV-1 provides estimates of statewide housing need by income group. The estimates are based on a Housing Supply/Demand Model which was formulated as part of the <u>Hawaii Housing Policy Study</u>, 2006 Update.

Households with incomes at 80 percent of the HUD median income and below are estimated to be in need of rental housing and households with incomes between 80 percent and 140 percent of the HUD median income are estimated to be in need of affordable for-sale housing. By 2015, approximately 17,400 affordable rental housing units and nearly 6,800 affordable for-sale units are projected to be needed.

Table IV-1. Projected Housing Need by Income Group, 2015

% of HUD Median Income	Honolulu	Maui	Hawaii	Kauai	State
<30 %	3,922	1,093	1,287	414	6,716
30-50%	1,573	696	514	174	2,957
50-80%	5,397	732	1,186	409	7,725
80-120%	3,842	724	603	350	5,519
120- 140%	831	106	119	207	1,263
140- 180%	1,986	485	410	60	2,941
>180%	1,629	305	695	175	2,804
Total	19,179	4,142	4,815	1,789	29,925

B. Housing Problems

The U. S. Department of Housing and Urban Development (HUD) consolidated housing data from the U.S. Census 2000 and produced data tables on housing problems, affordability and special housing needs for the state and for each

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County. The tables provide information on Renter and Owner households according to the following income categories: households with incomes under 30% of the median, households with incomes between 30% and 50% of median, households with incomes between 50% and 80% of the median, and households with incomes above 80% of median. These tables are provided in Appendix 'A' – CHAS Data Tables. In brief, the following trends emerge:

- The lower the income, the greater the housing problem. More specifically, 43% of all households in Hawaii had housing problems: 55% of households with incomes between 50%-80% of median had problems; 67% of household between 30%-50% had problems; and 72% of households with incomes below 30% of median had problems.
- Large related households, both renters and homeowners, show the highest rates of housing problems. Among large related households with incomes below 30% of median, 94% of renters and 90% of homeowners experienced problems. Among all large related households in the State, 71% of renters and 59% of owners experienced problems.
- Housing affordability is a problem. Nearly one-third (32%) of Hawaii's households were cost-burdened, with housing costs that exceed 30% of their income. 30% of all owners and 35% of all renters were cost-burdened.

Data from CHAS 2000 was analyzed to determine if racial or ethnic groups experienced a disproportionately greater need for any income category in comparison to the needs of that category as a whole. HUD considers disproportionately greater need to exist when the percentage of persons in a category of need who are members of a particular racial or ethnic group is at least ten percentage points higher than the percentage of persons in the category as a whole. CHAS Date Tables in Appendix "A" demonstrates that there is no disproportionate need between Hispanic; White, Non-Hispanic; Black, Non-Hispanic; and "Other" households in the State of Hawaii.

The extent of crowding (defined as 1.01 or more persons per room) decreased from 22 percent in 1992 to 8 percent in 2006 (see Table IV-2). This downward trend is anticipated to continue as household sizes decrease, but may change with any prolonged economic downturn.

The statewide percentage of households that were overcrowded or doubled up (defined as multiple families in one household) also decreased from 30 percent in 1992 to 15 percent in 2006.

1992, 1997 <u>,</u>			Crowdi	ng Indicators ^b
County	Year	Total Households	Percent overcrowded persons or more per room)	Percent of households that are overcrowded or doubled up ^c
Honolulu	1992	247,349	23%	32%
	1997	272,234	11%	27%
	2003	292,003	10%	. 23%
	2006	303,149	8%	15%
Maui	1992	34,266	27%	26%
man	1887	39,252	10%	25%
	2003	43,687	11%	18%
	2006	49,484	8%	15%
Hawaii	1992	39,789	19%	26%
	1997	46,271	8%	24%
	2003	54,644	7%	18%
	2006	61,213	7%	16%
Kauai	1992 ^a	16,981	17%	26%
	1997	18,817	9%	25%
	2003	20,260	6%	21%
	2006	21,971	7%	16%
Total	1992	338,385	22%	30%
	1997	376,574	10%	27%
	2003	410,794	10%	22%
	2006	435,818	8%	15%

a. Pre-Hurricane Iniki

Source: Hawaii Housing Policy Study, 2006 Update, Table A-6b, page 51

b. Data weighed by household size after 2003.

c. Based on 1.01 persons or more per room or multiple families in one household

C. Families on the Public Housing Waiting List

The number of families on the public housing waiting list is an indicator of the need for affordable rental housing opportunities. As of June 30, 2009, there were 8,834 households on the waiting list for federal low-rent public housing statewide. (Households on the public housing wait list may also be on the wait list for Section 8 tenant-based assistance.) Demographic information for households on the public housing waiting list is shown in Table IV-3.

Table IV-3. Households on Public Housing Waiting List as of June 30, 2009

Wait List for Federal Low-Rent Public	# of	% of Total
Housing	Families	Families
Waiting list total	8,834	
Extremely low income (<= 30% AMI)	7,457	84.41%
Very low income (>30% but <=50% AMI	1,170	13.24%
Low income (>50% but <80% AMI)	177	2.00%
Families with children	4,504	50.98%
Elderly families	1,797	20.34%
Families with disabilities	1,774	20.08%
White	1,456	16.48%
Hispanic	589	6.67%
Black	203	2.30%
American Indian, etc.	105	1.19%
Asian/Pacific Islander/Other	7,070	80.03%
Characteristics by Bedroom Size		
1 BR	3,911	44.27%
2 BR	3,277	37.10%
3 BR	1,339	15.16%
4 BR	227	3.14%
5 BR	30	.34%
5+ BR	0	.00%

Source: Hawaii Public Housing Authority, Proposed Annual and Five-Year Plan, Fiscal Years 2010-2014

D. Families on Section 8 Housing Choice Voucher Waiting List

The number of families on the Section 8 Housing Choice Voucher waiting list is also an indicator of the need for affordable rental housing opportunities. The State and each of the four counties administer Section 8 tenant-based assistance programs and maintain waiting lists for the program. In 2009, approximately 17,020 families were on the waiting lists statewide. Demographic information for households on the waiting list by State and by counties is shown in Table IV-4.

Table IV-4. Families on Section 8 Housing Choice Voucher Waiting List

STATE	STATE OF HAWAII	-	HAWAII	W	HONOFULL	LULU	KAUA	JAI	W	MAUI
Wait List	# of Familles	% of Total Familles	# of Families	% of Total Families	# of Families	% of Total Families	# of Families	% of Total Familles	# of Families	% of Total Families
Waiting list	4,252		4,357		5,499		733		2,179	
Extremely low income (<= 30% AMI)	4,016	94.40%	2,668	61%	5,061	92%	499	29%	1,786	82%
Very low income (>30% but <=50% AMI	205	4.80%	1,515	35%	331	%9	228	31%	387	18%
Low income (>50% but <80% AMI)	31	0.07%	174	4%	0	%0	ပ	%0	ဖ	%0
Families with children	1,508	35.50%	2,366	54%	2,927	53%	399	54%	1,201	92%
Elderly families	261	6.10%	275	%9	616	11%	58	%8	195	%6
Families with disabilities	691	16.30%	446	10%	1,693	31%	167	23%	649	30%
White	98/	18.60%	1,656	38%	880	16%	288	39%	852	39%
Hispanic	358	8.40%	530	12%					253	12%
Black	109	2.60%	88	7%	42	1%	13	2%	77	4%
American Indian/Alaska Native	51	1.20%	88	2%	42	1%	13	2%	7.7	4%
Asian/Pacific Islander/Other	3,306	77.80%	2,268	52%	4,420	%08	388	23%	1,259	%89
Wait List	Closed sir	Closed since 8/29/08	Ö	Open	Open	en	Ö	Open	0	Open

E. Special Housing Needs

Special Needs subpopulations include the elderly; frail elderly; those with severe and persistent mental illness; persons with developmental disabilities; persons with physical disabilities; persons with alcohol or other drug addictions; persons with HIV/AIDS; youth exiting the foster care system; probationers, parolees, and ex-offenders re-entering the general population; and others.

Table IV-5. Supportive Housing Needs

Special Needs Group	Households in Need of Supportive Housing
1. Elderly	2,081
2. Frail Elderly	219
3. Persons with Severe Mental Illness	11,100
4. Developmentally Disabled	14
5. Physically Disabled	Unknown
Persons with Alcohol or Other Drug Addiction	Unknown
7. Persons with HIV/AIDS	600-1,600
8. Youth	150+
9. Probationers, Parolees, and Ex- Offenders	870
10. Other	

Sources:

State DBEDT, The Data Book 2007

State Executive Office on Aging, Hawaii State Plan on Aging, 2008-2011

SMS Research, 2006 Hawaii Housing Policy Study

State Council on Developmental Disabilities

State DOH Adult Mental Health Division, Community Housing Plan, November 200

State DOH Alcohol and Drug Abuse Division, Treatment Needs Assessment, 2007

University of Hawaii's Hawaii AIDS Clinical Research Program, Statewide HIV/AIDS Medical Care Needs Assessment

State HS, SSD, FY09 Annual Progress and Services Report, 2008

State Judiciary System

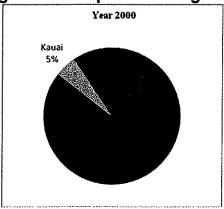
F. Elderly and Frail Elderly Households

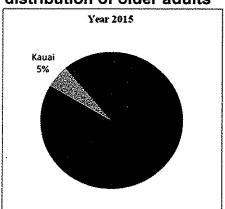
The 2007 estimated population of persons 65 years and over was 183,994, which accounted for 14.3 percent of the state's total population. There were an estimated 29,401 persons 85 years and over (2.2 percent of the total population). These percentages of elderly population are significantly higher than April 1, 2000, when the population 65 years and over accounted for 13.3 percent of the total, and the population 85 years and over accounted for 1.4 percent of the total population.¹

¹ Hawaii State Department of Business, Economic Development & Tourism (DBEDT), The State of Hawaii Data Book 2007, Table 1.31

Over the past two decades, the majority of older adults (defined as 60 years of age or older) resided in the City and County of Honolulu. In 2000, 73 percent of older adults resided in the City and County of Honolulu; 13 percent in Hawaii County; 9 percent in Maui County; and 5 percent in Kauai County. Projections indicate that the proportion of older adults residing in the City and County of Honolulu will decrease to under 70 percent by the year 2015. Hawaii and Maui counties will see increases by the year 2015 to 14 percent and 11 percent, respectively. The proportion of older adults residing in Kauai is expected to remain about the same.²

Figure IV-1. Expected change in geographic distribution of older adults





According to U.S. Census 2000 data, the State has a total of 79,109 elderly one or two person households, comprising 20 percent of the total households. Of the total elderly households, renters comprise 30 percent or 23,428 and owners comprise 70 percent or 55,681 households. Forty-eight percent of the renter households reported housing problems, while 25 percent of the owner households reported housing problems.³

There is an estimated annual need for nearly 2,300 units for elderly households to the Year 2030. About 59 percent of that demand will be for purchased units and the rest will all be for rentals.⁴

² Executive Office on Aging, Hawaii State Department of Health, Hawaii State Plan on Aging: 2008-2011, June 2007

³ U.S. Census 2000 Summary File 3, PCT2. Non-family Households by Sex of Householder Living Alone by Age of Householder

⁴ SMS Research, Hawaii Housing Policy Study, 2006: Housing Issues for Senior Citizens, February 2007, pp. 15-17

		County of F	Residence		
2030	Honolulu	Hawaii	Kauai	Maui	State
New Elderly Households* New units with amenities needed by	97,524	18,521	6,979	18,714	141,738
2030**	38,799	8,398	2,644	4,480	54,816
For owners***	21,435	6,301	1,971	2,410	32,560
For renters	17,364	2,097	673	2,070	22,256
Additional need per year:****					
For owners	893	263	82	100	1,357
For renters	724	87	28	86	927

^{*} DBEDT Estimated elderly population in 2030 minus elderly population in 2006.

Source: SMS Research, Hawaii Housing Policy Study, 2006: Housing Issues for Senior Citizens, February 2007, Table 21, page 16

Some elderly residents may need services to assist them with daily life. Disabilities and health conditions may cause some of them to be unable to perform the basic tasks of daily living. The Hawaii Housing Policy Study, 2006 Demand Survey measured need for life management assistance, help with regular daily household chores and personal care. The type of assistance measured included:

- Activities of Daily Living (ADLs) which include assistance with eating, bathing, getting dressed, getting in or out of bed, or getting to the toilet
- Instrumental Activities for Daily Living (IADLs) which include preparing meals, taking medications, making phone calls or managing money
- Heavy chores like cleaning inside the oven, waxing the floor, or doing yard work
- Light chores like doing the laundry, housecleaning, changing linens, or emptying the trash
- Transportation including the need for an escort when going outside the house or the need for rides to doctors' appointments, shopping, etc.

Table IV-7 shows the need for life management services across Hawaii's four counties. Honolulu had the highest need for transportation and heavy chore services. Those items seem to be more common among elderly with fewer

^{**} Percent units with amenities from Table 20, times 2030 estimate elderly households above.

^{***} Based on distribution in Table 20.

^{****} Estimates in lines above divided by 24 years between now and 2030.

needs -- people who are likely to remain in unassisted units with some chore services. The County of Kauai anchors the other end of the scale, with the State's highest need for assistance with IADLs and ADLs.⁵

Table IV-7. Life Management Needs for Elderly Households by County

County of Residence				
Honolulu	Hawaii	Kauai	Maui	State
9.4%	11.6%	8.8%	7.7%	9.5%
66.6%	53.3%	50.5%	57.1%	63.4%
71.6%	62.8%	62.6%	66.8%	69.6%
56.7%	48.6%	52.4%	64.8%	55.9%
50.3%	46.0%	58.9%	58.5%	50.6%
30.9%	36.7%	38.6%	27.9%	31.9%
	9.4% 66.6% 71.6% 56.7% 50.3%	Honolulu Hawaii 9.4% 11.6% 66.6% 53.3% 71.6% 62.8% 56.7% 48.6% 50.3% 46.0%	Honolulu Hawaii Kauai 9.4% 11.6% 8.8% 66.6% 53.3% 50.5% 71.6% 62.8% 62.6% 56.7% 48.6% 52.4% 50.3% 46.0% 58.9%	Honolulu Hawaii Kauai Maui 9.4% 11.6% 8.8% 7.7% 66.6% 53.3% 50.5% 57.1% 71.6% 62.8% 62.6% 66.8% 56.7% 48.6% 52.4% 64.8% 50.3% 46.0% 58.9% 58.5%

Note: Base for Table is all Hawaii households with persons 62 years of age or older and interested in moving.

G. Persons with Disabilities

The Americans with Disabilities Act of 1990 defines disability as a physical or mental impairment that substantially limits one or more major life activities (i.e., caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working). The three categories of individuals with disabilities are: 1) individuals who have a physical or mental impairment that substantially limits one or more major life activities; 2) individuals who have a record of a physical or mental impairment that substantially limits one or more of the individual's major life activities; and 3) individuals who are regarded as having such an impairment, whether they have the impairment or not. Impairments include physiological disorders or conditions, cosmetic disfigurement, anatomical loss, and mental or psychological disorders.

Data from the U.S. Census Bureau, 2005-2007 American Community Survey estimates that 13.3 percent or 152,663 of Hawaii's 1,147,845 population 5 years and over have one or more disabilities.

⁵ Ibid.

Table IV-8. Population Estimates by Type of Disabilities State of Hawaii						
Type of disability	5 to 1	5 years	16 to 6	4 years	65+	years
**	# of ind.	% of pop.	# of ind.	% of pop.	# of ind.	% of pop.
Any disability	7,462	4.4%	78,697	9.8%	65,885	37.6%
Sensory disability	1,865	1.1%	18,470	2.3%	26,459	15.1%
Physical disability	1,357	0.8%	44,970	5.6%	47,836	27.3%
Mental disability	5,596	3.3%	27,303	3.4%	22,429	12.8%
Self-care disability	1,018	0.6%	11,242	1.4%	15,770	9.0%
Go-outside-home disability	an an an	and fact date	20,076	2.5%	30,840	17.6%
Employment disability			42,561	5.3%		****

HUD provides CHAS data on Housing Problems for Persons with Mobility and Self-Care Limitations for Hawaii and each county; please see Appendix "A".

The Hawaii Olmstead Implementation Plan (October 1, 2004) notes that despite the increasing number of persons with disabilities, Hawaii's bed count in hospitals and nursing homes have remained stable. The Olmstead Task Force identified the need to support individuals with disabilities to live in the community as independently as possible. More information, more time, more funds, and improved coordination between government agencies and the private sector are necessary to address issues related to housing, transportation, support services, and work opportunities.

H. Persons with Developmental Disabilities (DD) or Mental Retardation (MR)

In 2008, there were a total of 2,426 adults with DD/MR who were living in various residential settings. Of that number, 2,230 lived with their family and 196 lived in settings other than with family. There were 14 individuals who wanted to live independently in their own home (with or without supports), but would require a rental subsidy to help pay for rent. These individuals lived with their family, relatives, in an ARCH or Adult Foster Home (AFH), or were homeless, but remained in their current living situation due to limited resources to assist them to live independently. Although the process may be in place to address the individual's choice of residential setting, there may be limited or no resources to support the individual in that particular residential setting. There are rental considerations regarding deposits and monthly rental payments. Limited resources in the areas of Section 8 vouchers, low cost rentals, and rental

subsidies, and the high cost of living in Hawaii make it challenging for individuals with DD/MR to obtain housing to live independently.⁶

I. Persons with Severe Mental Illness

According to the State Department of Health, Adult Mental Health Division (AMHD), approximately 86 percent of eligible persons with severe and persistent mental illness in Hawaii have extremely low incomes (i.e., incomes at or below 30 percent of median income) and are, therefore, in need of housing assistance. As many as 11,100 persons with severe and persistent mental illness are in need of housing assistance, based on their income. AMHD developed this estimate using the following step by step methodology:

- 1. SSI and SSDI benefits serve as a proxy to identify extremely low-income consumers served by the public mental health system. People receiving SSI and/or SSDI benefits have below poverty level financial resources and thus have great difficulty obtaining affordable housing. In FY 2006, AMHD provided services to 11,217 adults including 9,600 persons who were receiving SSI and/or SSDI. It is estimated these 9,600 individuals will need subsidized housing/rental assistance.
- AMHD estimates there are approximately 1,500 homeless persons with severe and persistent mental illness who are not accounted for in AMHD's database. Virtually all of these individuals are in need of housing assistance.
- 3. The sum of these two estimates, which are presumed unduplicated, is the conservative estimate of 11,100 persons with severe and persistent mental illness in need of housing assistance. ⁷

J. Substance Abuse Population

In 2004, the statewide total number of persons estimated to be in need of alcohol and/or drug treatment is 85,468 representing an increase of approximately 10 percent from 1998 to 2004.8

⁶ State of Hawaii Department of Health, State Council on Developmental Disabilities, "Final Report to the Twenty-Fifth Legislature, State of Hawaii 2009, Pursuant to Section 2 of Act 040, Session Laws of 2007 Entitled, "A Bill for an Act Relating to Developmental Disabilities" Requiring the State Council on Developmental Disabilities to Submit a Final Report on the Number of Individuals with Developmental Disabilities or Mental Retardation Who Choose to Live Independently, the Financial Impact on the State, and Findings and Recommendations as Provided by Act 303, Session Laws of Hawaii 2006 and the Financial Impact Act 303 Has Had on the State", December 2008

State Department of Health, Adult Mental Health Division, Community Housing Plan for Persons with Severe and Persistent Mental Illness, FY 2008-2012, pp. 17-18, November 2007.

According to providers, there is a need for more clean and sober housing during the recovery period. The greatest need is for clean and sober houses for women with children; the second greatest need is for clean and sober houses for women.

About 25.8 percent of the 2,514 unsheltered homeless persons identified in the 2009 point-in-time (PIT) count were determined to be chronically homeless. HUD defines the chronically homeless to be: An unaccompanied individual with a disabling condition, who has either been continuously homeless for at least one (1) year OR has had at least four (4) episodes of homelessness in the past three (3) years. A disabling condition is defined by HUD as a diagnosable substance use disorder, serious mental illness, developmental disability, or chronic physical illness or disability, including the co-occurrence of two or more of these conditions. In addition, a person must be sleeping in a place not meant for human habitation (e.g., living on the streets) or in an emergency shelter during the entire period(s) of homelessness.9

,	Unsheltered Homeless Persons	Chronic Homeless Persons	% Chronic Homeless
Oahu	1,193	390	32.7%
Maui	581	142	24.4%
Kauai	125	39	31.2%
Hawaii	615	77	12.5%
Totals	2,514	648	25.8%

K. Persons with HIV/AIDS and their families

Between 600 and 1,600 persons with HIV/AIDS are estimated to be in need of housing assistance.

1 The 2008 HACRP Statewide HIV/AIDS Medical Care Needs Assessment indicates that there are 2,700 confirmed people with HIV in Hawaii, of which approximately 37.6 percent or, 1,015 persons are estimated to face a housing cost burden. Approximately 400 households received HOPWA assistance in the 2007 program year, leaving an estimated gap of more than 600 households in need of housing assistance.

State of Hawaii Department of Health, Alcohol and Drug Abuse Division, "State of Hawaii 2004

Treatment Needs Assessment", 2007, page 9-33

State of Hawaii, Hawaii Public Housing Authority, Homeless Programs Branch and City & County of Honolulu, Department of Community Services, Statewide Homeless Point-in-Time Count, May 2009

2. A survey of 161 people with HIV in Hawaii indicated a rate of 74 percent in need of housing assistance (63 percent long term and 11 percent short term). Applying that proportion of need to the 2,700 confirmed number of people with HIV, results in a need for nearly 2,000 housing units. Approximately 400 households received HOPWA assistance in the 2007 program year, leaving an estimated gap of 1,600 households in need of housing assistance. (This is likely a high estimate since the survey was administered through service providers which likely missed people who are not in need of services.)

The HOPWA planning group identified the housing needs of this population which included permanent housing (rental subsidy), assisted living, transitional housing, emergency housing, long-term care facilities, care homes and hospice care. Within each of these categories, appropriate supportive services to assist persons with HIV/AIDS to obtain or retain housing were also identified as needs.

L. Youth

In Federal Fiscal Year 2007, there were 157 foster youth who aged out of Child Welfare Services foster care. Most of these need assistance to attain or maintain permanent housing.

While connections to housing resources have improved, more could be done to support foster youth in planning for housing and, in particular, in finding affordable housing. A number of service providers emphasized the need to create affordable housing for former foster youth and/or improve access to Section 8 housing. The Department of Human Service is attempting to address the latter through its collaborative application with county governments to HUD for subsidy assistance targeting former foster youth. The need for more "youth-friendly" independent living programs and group homes that serve the particular needs of foster youth was also emphasized. Some residential programs were deemed restrictive and in need of flexibility to allow youth to work late hours or attend evening courses, for example.¹¹

¹⁰ State of Hawaii, Department of Human Services, Social Services Division, FY2009 Annual Progress and Services Report, June 2008, Updated October 2008, page 9

¹¹ Center on the Family, University of Hawaii at Manoa prepared for Hawaii Community Foundation and Victoria S. Bradley L. Geist Foundation, "Jim Casey Youth Opportunities Initiative," May 2009

M. Probationers, Parolees, and Ex-Offenders

According to the State Judiciary System, each year there are about 495 probationers in the state who have special housing needs. Of these, 25% are drug court probationers, 10% are considered "high-risk," and the remainder is general probationers. Each year, around 375 people who are released from prison on parole have special housing needs (Hawaii Paroling Authority).

This population needs additional "Clean and Sober" residences, community-based substance abuse programs, and the ability to immediately access social services related programs such as medical insurance and food stamps.

V. HOUSING AND MARKET ANALYSIS

The Housing Market area is defined as the State of Hawaii with focus in the Counties of Hawaii, Kauai, and Maui.

Housing Demand

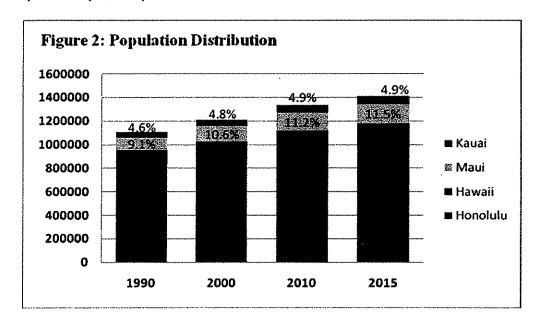
A. Population and Population Trends

Between 1990 and 2008, statewide population grew from 1,108,229 persons to an estimated 1,288,198 persons, representing an annual growth rate of 0.8 percent. In the first half of the 1990s, population grew at an annual rate of 1.5 percent, but fell to 0.2 percent during the second half of the 1990s. During the first half of the 2000s, population growth recovered to an annual rate of 0.9 percent, but has slowed to 0.6 percent annually between 2005 and 2008. Contributing to the slower growth of statewide population was the net outmigration from Hawaii to the U.S. mainland. Between 2006 and 2007, there were 11,849 more people who moved to the U.S. mainland than those who moved to Hawaii from the mainland. Military deployment accounted for more than half of outmigration to the U.S. mainland.

Neighbor Island counties are growing at a faster rate than Honolulu. Hawaii County led the growth in population from 2007 to 2008 with a growth rate of 1.9 percent. Kauai and Maui counties each gained 1.5 percent population and the City and County of Honolulu experienced a population growth rate of 0.5 percent during the same period. The growth of the Big Island population in recent years was partly due to in-migration from other islands in the state and from the U.S. mainland.

Due to slower growth in population, the City and County of Honolulu's share of the State population decreased 3.2 percentage points from 75.5 percent of the State total in 1990 to 72.3 percent in 2000. Hawaii County gained 1.4 percentage points, Maui County's population share increased 1.5 percentage points, and Kauai County increased only 0.2 percentage points.¹²

From 2010 to 2015, the resident population is projected to grow by 1.1 percent from 1,332,880 to 1,410,670.¹³ Approximately 69.0 percent (973,710) of the 2015 population is projected to reside in the City and County of Honolulu, followed by Hawaii, 14.6 percent (205,820); Maui, 11.5 percent (161,710); and Kauai, 4.9 percent (69,430).¹⁴



B. Household Characteristics and Trends

In 2007, there were 439,685 households in Hawaii, up from 386,824 households in 2000. The average household size decreased from 3.04 people in 2000 to 2.84 people in 2007.¹⁵ The number of households (and average household size) in each county in 2007 were as follows: Honolulu, 305,000 (2.9 people); Maui, 51,000 (2.8 people); Hawaii, 63,000 (2.75 people); and Kauai, 22,000 (2.8 people).¹⁶

As shown in Table V-1, families make up approximately 73 percent of households in the State of Hawaii, while nearly 23 percent of households are comprised of single members. From 2003 to 2006, the percentage of married

¹² DBEDT, The State of Hawaii Data Book 2007, Table 1.06.

¹³ DBEDT, The State of Hawaii Data Book 2007, Table 1.28

¹⁴ Ibid.

¹⁵ DBEDT, The State Data Book 2008, Table 1.53.

¹⁶ U.S. Census Bureau, American Community Survey, Population and Housing Narrative Profile 2007

with no children households decreased by 6 percent (from 29.1% to 22.8%), while the percentage of multiple families living together increased by 7 percent (from 21.6% to 28.8%).

			Household type*						
County	Year	Total Households	Single member	Married, no children	Parent(s) & children	Unrelated roommates	Multiple families	Undetermined	
Honolulu	2003	292,003	22.0%	28.9%	21.2%	3.2%	22.9%	1.8%	
	2006	303,149	24.1%	21.8%	20.9%	3.3%	29.3%	0.5%	
Maui	2003	43,687	21.9%	29.6%	25.4%	3.2%	17.6%	2.3%	
	2006	49,484	21.5%	24.8%	24.0%	3.6%	25.8%	0.3%	
Hawaii	2003	54,644	22.3%	30.6%	24.4%	3.2%	18.1%	1.4%	
	2006	61,213	19.5%	25.6%	22.6%	2.6%	28.7%	1.0%	
Kauai	2003	20,460	20.9%	26.9%	26.8%	3.2%	20.5%	1.7%	
	2006	21,971	19.8%	25.0%	23.3%	3.3%	28.2%	0.4%	
State	2003	410,794	22.0%	29.1%	22.3%	3.2%	21.6%	1.8%	
	2006	435,818	22.9%	22.8%	21.6%	3.2%	28.8%	0.6%	

Percentages may not sum to 100.0 due to rounding.

C. Household Income

The statewide median household income in 2006 was approximately \$53,571 based on the Hawaii Housing Policy Study, 2006 Housing Demand Survey. Households in the City and County of Honolulu had the highest median income (\$54,545), followed by Kauai (\$53,261), Maui (\$52,500), and Hawaii (\$48,125). The distribution of households by income group is shown in Table V-2, below.

Table V-2.	House			come Gi ehold In				006
County	30% or less	Over 30% to 50%+	Over 50% to 80%	Total Unde r 80%	Over 80% to 120%	Over 120 % to 140 %	Over 140%	Median
Honolulu	14%	10%	20%	22%	9%	9%	15%	\$ 54,545
Maui	13%	11%	19%	21%	7%	13%	15%	\$ 52,500
Hawaii	14%	11%	18%	20%	5%	12%	19%	\$ 48,125
Kauai	12%	11%	18%	21%	10%	13%	15%	\$ 53,26°
State	14%	11%	20%	22%	8%	10%	16%	\$ 53,57°

Percentages may not sum to 100.0 due to rounding.

Source: Hawaii Housing Policy Study, 2006, Table A-3b, page 46

^{*} Data weighted by household size, resulting in some difference for single member households. Source: Hawaii Housing Policy Study, 2006, Table A-6a, page 50.

^{*}Household income was imputed for cases with missing data.

D. Interest in Moving to a New Housing Unit

The Housing Demand Survey conducted by SMS Research as part of the Hawaii Housing Policy Study, 2006 Update, measures housing demand as interest in moving to a new housing unit whether to buy or rent. In 2006, nearly 40 percent of all Hawaii households expressed a desire to move to a new home in the near future. Interest is somewhat higher in the Counties of Maui and Hawaii. Price increases have been higher in those two counties and while more units have been added to the inventory than in other counties, the rate of out-of-state ownership has also been much higher. This suggests that pent-up demand may be higher in these two counties than in the City and County of Honolulu or the County of Kauai.¹⁷

Table V-3. Interest in Mov	ing to a N	ew Home by	y County,	2006	a especial security
	State of	County	County	County	County
	Hawaii	of Honolulu	of Hawaii	of Maui	of Kauai
Want to move to a new home	39.8	38.8	42.1	45.1	35.6
Will move out-of-state	19.7	22.5	12.7	13.2	20.6
	i i				l
Effective demand for homes	32.6	30.9	37.2	.39.6	29.0

"Will move out of state" measured as first choice out of state. Effective demand eliminates those moving out of state from the overall demand estimate. Percent is percent of all movers. "Estimated number of movers" is the number of households wishing to move to a new unit minus those who will move to units outside of Hawaii.

Source: Hawaii Housing Policy Study, 2006, Table 9, page 24.

As shown in Table V-3, above, nearly 20 percent of those who wanted to move to a new housing unit, indicated that they wanted to move to a home outside of Hawaii. "Effective demand" is estimated by subtracting those households who want to move out-of-state from those who want to move. Across the state, effective demand is expected to be equal to about 33 percent of 2006 households, or 142,362 households.

Effective demand has changed notably since 1992, reflecting the changing condition of Hawaii's housing market. Statewide effective demand has continuously fallen from 42 percent in 1992 to 33 percent in 2006. As shown in Table V-4, effective demand in the City and County of Honolulu dropped from 42 percent in 1992 to 31 percent in 2006. Effective demand in the County of Kauai also dropped from 38.4 percent in 1992 to 29 percent in 2006. In Hawaii and Maui Counties, effective demand dropped from 1992 through 2003, and increased in 2006.

¹⁷ SMS Research, Hawaii Housing Policy Study, 2006, page 24.

		1 11 7		and the second second	
	State	Honolulu	Hawaii	Maui	Kauai
1992	41.6	42.5	39.7	39.1	38.4
1997	37.5	36.4	34.8	42.5	36.0
2003	35.1	35.1	35.3	35.8	33.0
2006	32.6	30.9	37.2	39.6	29.0

Source: Hawaii Housing Policy Study, 2006, Table 10, page 25

Housing prices have affected demand estimates. Nearly 30 percent of all those who expect to be moving out of Hawaii mentioned housing prices as their main reason for leaving. Two-thirds of those who said they would not be buying a home on their next move said that housing costs was one of the major reasons for that decision.

Housing Supply

In 2007, there were an estimated 506,737 housing units in the State of Hawaii, of which 334,792 or 66.1 percent were on Oahu. Hawaii County had an estimated 77,650 housing units, followed by Maui County with 65,102 units, and Kauai County, 29,193 units. Between 2000 and 2007, the total supply of housing increased by 10 percent, with the largest increase in Hawaii County (23.9 percent) and the smallest increase in the City and County of Honolulu (6.0 percent). The 2000-2007 percent change in housing units in Kauai and Maui counties was 15.2 and 15.1 percent, respectively. 19

Of the total housing units, approximately 57 percent were single-family units, 27.4 percent were condominiums, 10.8 percent were apartments, and the remaining 4.6 percent were other structures (e.g., military, student housing, or cooperatives).²⁰ Statewide, 95 percent of single family and 86 percent of condominium units are fee simple.²¹

A. Assisted Rental Housing

An inventory of government-assisted rental housing by county and type of unit (e.g., elderly, family, public housing, special needs) may be viewed on the Hawaii

¹⁸ DBEDT, The State of Hawaii Data Book 2008, Table 21.20 – Housing Unit Estimates by County: 2000 to 2007

¹⁹ Ibid.

SMS Research & Marketing Services, Inc., Hawaii Housing Policy Study, 2006, Data Tabulations, Table A-1. Characteristics of Housing Units by County, 1992, 1997, 2003 and 2006, February 2007.
 Ibid, Table G-2. Housing Inventory by Land Tenure, 2006.

Housing Finance and Development Corporation's website. Go to the following link: http://hawaii.gov/dbedt/hhfdc/resources/affordable-rentals-2006-08.pdf

B. Vacancy Rates

In 2000, the State of Hawaii homeowner vacancy rate was 1.6 percent and the rental vacancy rate was 8.2 percent. In 2007, the homeowner and rental vacancy rates in the state decreased to 1.1 percent and 6.9 percent, respectively. Vacancy rates for the counties are shown in Table V-5.

Homeowner	Honolulu	Maui	Hawaii	Kauai	State
2000	1.6%	1.2%	1.9%	1.2%	1.6%
2007	0.9%	1.1%	1.4%	2.4%	1.1%
Rental	Honolulu	Maui	Hawaii	Kauai	State
2000	8.6%	7.2%	7.6%	6.1%	8.2%
2007	4.8%	17.0%	9.2%	5.9%	6.9%

Source: U.S. Census, American Fact Finder, General Housing Characteristics: 2000 and 2005-2007 American Community Survey 3-Year Estimates, Selected Housing Characteristics 2005-2007

C. Sales Prices

The real estate market has experienced one of the biggest reversals in the state over the past couple of years. The number of single family resale's has dropped significantly on Oahu and the Neighbor Islands. Median prices are down, though not nearly as much in many Mainland markets that were subject to accelerating increases earlier in this decade. Analysts project a continued decline in home prices for 2009, but again by relatively modest amounts. As sales prices decline, housing affordability improves. However, first-time homebuyers with lowand moderate-incomes will continue to find homeownership a challenge. Table V-6 shows statewide median and average single family and condominium prices, as well as housing affordability, from 2003 to 2008. Residential resale's and affordability data for each county are provided in Appendix 'A'.

²² First Hawaiian Bank, Economic Forecast, 2008-2009 Edition

	2000	70004	Toone	10000	Tooo-	Tooss
	2003	2004	2005	2006	2007	2008
Single Family Homes Resales						
Median Sale Price (\$Thou.)	357.3	438.8	556.7	598.4	596.7	560.0
% Change	16.6	22.8	26.9	7.5	-0.3	-6.2
Average Sales Price (\$Thou.)	447.2	555.3	696.6	749.7	770.2	726.9
% Change	14.2	24.2	25.5	7.6	2.7	-5.6
Resales (Units)	8,916.0	9,417.0	9,466.0	7,610.0	6,850.0	5,028.0
% Change	20.6	5.6	0.5	-19.6	-10.0	-26.6
Condominium Resales						
Median Sale Price (\$Thou.)	183.4	231.3	296.3	338.1	351.8	345.8
% Change	12.8	26.1	28.1	14.1.	4.0	-1.7
Average Sales Price (\$Thou.)	240.6	297.7	381.3	451.6	480.8	476.3
% Change	9.9	23.7	28.1	18.4	6.5	-0.9
Resales (Units)	10,600.0	11,876.0	11,937.0	8,874.0	7,423.0	5,189.0
% Change	28.1	12.0	0.5	-25.7	-16.4	-30.1
Housing Affordability						
Afford Price Of Single-Family Home (\$Thou.)	330.6	331.9	339.5	337.3	352.8	383.0
% Change	13.2	0.4	2.3	-0.6	4.6	8.5
Housing Affordability Index	92.5	75.6	61.0	56.4	59.1	68.4
% Change	-2.9	-18.3	-19.4	-7.6	4.9	15.7
		<u> </u>				

Source: UHERO Economic Information Service (http://www.uhero.hawaii.edu). Table copyright UHERO, 2009.

Statewide average sales prices are UHERO estimates calculated as weighted averages of county figures.

Affordable price is the price that a median-income family can afford under a conventional loan (see source note on graph page).

D. Rents

According to "Out of Reach 2009," Hawaii is the most expensive state in the nation in terms of the needed housing wage to afford the Fair Market Rent for a two-bedroom apartment. Honolulu is the third most expensive metropolitan area and the combined counties of Hawaii, Kauai, and Maui rank second most expensive nonmetropolitan area.²³

The Fair Market Rent (FMR) in the State of Hawaii for a two-bedroom apartment is \$1,536. In order to afford this level of rent and utilities, without paying more than 30 percent of income on housing, a household must earn \$5,119 monthly or \$61,428 annually. Assuming a 40-hour work week, 52 weeks per year, this level of income translates into a Housing Wage of \$29.53.

In Hawaii, a **minimum** wage worker earns an hourly wage of \$7.25. In order to afford the FMR for a two-bedroom apartment at this wage, a renter must work 163 hours per week, 52 weeks per year. Or, working 40 hours per week year-round, a household must include 4.1 workers earning the minimum wage in order to make the two-bedroom FMR affordable.

In Hawaii, the estimated **average wage** for a renter is \$13.03. In order to afford the FMR for a two-bedroom apartment at this wage, a renter must work 91 hours per week, 52 weeks per year. Or, working 40 hours per week year-round, a household must include 2.3 workers earning the mean renter wage in order to make the two-bedroom FMR affordable.²⁴ Table V-7 presents rental affordability data for Fiscal Year 2009 for the Hawaii and the counties.

²³ The National Low Income Housing Coalition, Out of Reach 2009, April 2009

²⁴ Ibid.

	FY2009				Area Medi	Area Median Income			
	Housing Wage		Housing Costs	S	(A)	(AMI)		Renter Households	nolds
	Hourly wage			Full-time jobs at			Estimated		Full-time jobs at
	necessary	Two-	Income needed	minimum wage		Rent	mean renter		Rent affordable mean renter wage
	to afford	bedroom	to afford	needed to afford	•	affordable	hourly wage		needed to afford
	2-BK FMK	FMK	2 BK FMK	2 BK FMK	AMI	at AMI	(2002)	wage	2-BK FMK
Hawaii	\$29.53	\$1,536	\$61,428	4:	\$76,565	\$1,914	\$13.03	\$ 678	2.3
Honolulu	\$31.37	\$1,631	\$65,240	4.3	\$79,300	\$1,983	\$13.37	\$695	2.3
MSA		,		1				,	,
Combined	\$24.26	\$1,261	\$50,457	3,3	\$69,858	\$1,746	\$12.23	\$636	2.0
Nonmetro									
Areas									
Hawaii	\$19.96	\$1,038	\$41,520	2.8	\$65,100	\$1,628	\$11.21	\$583	1.8
County									
Kalawao	\$24.10	\$1,253	\$50,120	3.3	\$35,000	\$875			
County +									
Kauai	\$25,35	\$1,318	\$52,720	3.5	\$70,600	\$1,765	\$11.75	\$611	2.2
County					٠				,
Maui	\$28.17	\$1,465	\$58,600	3.9	\$75,400	\$1,885	\$13.31	\$692	2.1
County									
1 FMR = F	FMR = Fiscal Year 2009 Fair Market Rent	r Market Rent	t (HUD, 2008; fin	HUD, 2008; final as of October 1).					
2 AMI = Fi	AMI = Fiscal Year 2009 Area Median Income (HUD, 2009)	a Median Inco	ome (HUD, 2009)	ن ىر					
3 "Affordal	"Affordable" rents represent the generally accepted standard of spending not more than 30% of gross income on gross housing costs.	the generally	accepted standard	1 of spending not 1	more than 30%	% of gross inco	orne on gross h	nousing costs.	
4 The feder	The federal standard for extremely low income households. Does not include HUD-specific adjustments.	emely low inc	come households.	Does not include	HUD-specifi	c adjustments.			
5 "Afforda	"Affordable" rents represent the generally accepted standard of spending not more than 30% of gross income on gross housing costs.	the generally	accepted standard	l of spending not 1	more than 30%	% of gross inco	ome on gross h	tousing costs.	
†Wage data not available	ot available								
	*				0000				
Source: 1 ne	Source: The National Low income Housing	от ноизп	g Coannon, ou	Coannon, Out of Reach 2009, April 2009	April 2002				

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ANALYSIS OF IMPEDIMENTS REPORT

Prepared for Kaua'i County Housing Agency

SMS Affiliations and Associations:

Experian International Survey Research Interviewing Service of America PCR Environmental, Inc. - Guam Solutions Pacific, LLC Ka'ala Souza Training 3i Marketing & Communications

Prepared by SMS Research & Marketing Services, Inc. June, 2010

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I. INTRODUCTION

BACKGROUND

The United States Congress passed a variety of civil rights legislation in the 1960s prohibiting discrimination in the realms of education, public accommodation, employment, housing, and voting on the basis of race, religion or nationality. Title VIII of the Civil Rights Act, known as the Fair Housing Act, specifically prohibits discrimination in housing for reasons of race, religion, gender, national origin, familial status or disability. For a glossary of terms, please refer to Appendix B.

The Department of Housing and Urban Development (HUD) requires states and entitlement communities receiving federal funding from the Community Development Block Grant (CDBG), the HOME Investment Partnerships (HOME), and Emergency Shelter Grant (ESG) programs to certify that they are actively working to Affirmatively Further Fair Housing (AFFH). To certify that a state of community is AFFH, HUD requires that they (a) conduct an Analysis of Impediments to Fair Housing; (b) identify and implement activities aimed at overcoming the identified impediments, and (c) develop a system by which the activities undertaken to overcome the identified impediments may be monitored and documented.

The Analysis of Impediments identifies existing barriers to fair housing and outlines a process for addressing those issues. It consists of four basic components:

- 1. An overview of the demographic and housing market conditions in the area with particular attention devoted to the relevance of these topics to housing choice;
- A profile of fair housing in the area, including current laws, policies and practices, as well as any fair housing complaints filed;
- 3. An overview of any market and public policy impediments to fair housing, and
- A summary of actions, planned or recently undertaken, designed to eliminate identified impediments

METHOD

In 2009, the Kaua'i County Housing Agency (KCHA) contracted with SMS Research to prepare and conduct an Analysis of Impediments to Fair Housing (AI) for the County. The AI was intended to identify impediments and recommend actions to remove them. The objectives of the study were to:

- > Prepare a fair housing analysis of impediments for the County of Kaua'i;
- > Identify any impediments to housing choice;
- > Develop a plan to remove impediments identified in the analysis;
- Develop an action plan for the future, and
- Provide the necessary support methodology and records reflecting the analysis and actions.

Housing Agency Interviews

The central data collection activity was a set of executive interviews with key informants who know and understand the housing access situation on Kaua'i. The list of key informants for the project included housing agencies, housing advocacy groups, bankers and property managers, and other agencies in the County of Kaua'i, including state and federal housing agencies that operate in the County. The inquiry was designed to identify impediments, measure incidence of impediments, and discuss the root sources of the impediments. SMS began this task with a set of person-to-person interviews with target agency personnel. A broad range of persons and agencies on all islands were contacted in order to cover all sources of information about impediments to housing choice.

SMS developed an open-ended, semi-structured interview protocol to guide these interviews. The subjects were asked to self-identify housing choice impediments and to make any recommendations concerning overcoming those impediments.

Secondary Data

Al guidelines require collection of a substantial amount of secondary population and housing issues at the community level. SMS first collected and assembled those data in 2003 and developed it as the foundation for a long-range fair housing data system. Secondary data collection included, but was not limited to, the following types of data:

- > Demographic data
- Income data
- > Fair Housing complaint data
- > Fair Housing testing data
- Home Mortgage Disclosure Act (HMDA) data
- Housing data
- Employment data
- > Transportation data
- Education data

In 2009, data were again compiled on: (a) Kaua'i County's population, economy, and housing supply, relying on the U.S. Census, State and County data, and survey data by SMS; (b) laws, policies, procedures and regulations shaping fair housing policy and practice in Hawai'i taken from public documents; (c) complaints and compliance with fair housing laws from fair housing complaint logs provided by the Hawai'i Civil Rights Case Commission (HCRC); (d) efforts by key agencies to assess the extent of discrimination, and ways in which they can minimize discriminatory actions; (e) information on housing choice, availability, and perceived discrimination from recent surveys in Hawai'i, and (f) accounts of housing access and availability problems by advocacy organizations.

Public Awareness Survey

Identifying impediments to housing choice as reported by housing agencies and advocates is central to the Al analysis. However, their views may not correspond exactly to the public views on the most pressing needs in this area. Understanding the public's awareness of the issues and how they get their information on housing law is essential to effective ameliorative action.

SMS conducted a 12-minute telephone survey (Appendix C) among a probability sample of Kaua'i County households during the later part of 2009. The content of the survey was based on the User Survey¹ developed by the U.S. HUD's Office of Policy Development and Research (PD&R). The User Survey was designed to measure public awareness of fair housing laws. For the current study, modifications were made to the PD&R survey to include demographic information, indications of involvement in the housing market, any experience of discrimination in housing, and details of that experience.

SMS completed 400 interviews with residents of Kaua'i County. This limited the county level sampling error to plus-or-minus 4.88 percentage points at the 95 percent confidence level.

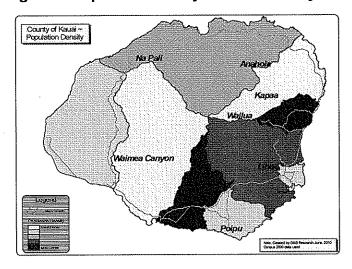
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U.S. Department of Housing and Urban Development, Office of Policy Development and Research. How Much Do We Know?; Public Awareness of the Nation's Fair Housing Laws, April 2002. See also HUD's website at www.huduser.org.

II. DEMOGRAPHICS

POPULATION PROFILE

Figure 1. Population Density of Kaua'i County

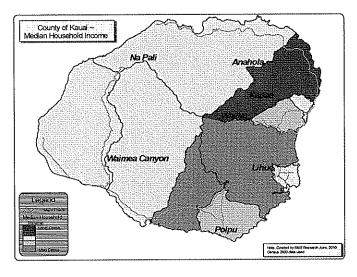


According to the U.S. Census Bureau, Kaua'i County's 2007 population consisted of approximately five percent of the State's population. During mid-2007, Kaua'i included 62,800 people, which lived in 29,100 households — an average of 2.15 persons per household and slightly lower than the State's average.

The population of Kaua'i County grew by 8.6 percent between 2000 and 2007, which was slightly faster than the State.

INCOME

Figure 2. Median Income Density for Kaua'i County



Kaua'i household income, as in all the counties, is higher than the national average. The median household income in 2007 was \$62,359. Median income for the nation was \$50,007 that same year. Median income had grown by 38.5 percent since the 2000 Census. The State median for 2007 was Kaua'i County household \$66,034. incomes were lower than the State median and its growth rate was just slightly lower than the State. household median income for Kaua'i was 16 percent higher than the national median household income (\$52,175) for the same year.

The figure above shows the geographic distribution of median household incomes in the County of Kaua'i in 2007. There was a higher concentration of low-income households (less than \$56,000) around Līhu'e and in the southeast region of Kaua'i County.

Kaua'i's high and growing household incomes are reflected by the data on poverty. In 2007, about eight percent of all residents (5,024 persons) were living below federal poverty guidelines. That poverty rate is a bit lower than the State (8.8%) and notably lower than the national poverty rate (13.2%). Kaua'i's poverty rate decreased slightly since 2000 (down 2.5%) about the same rate of decrease as seen in the State and national poverty rates.

LINGUISTIC ISOLATION

Figure 3. Concentration of Linguistic Isolation

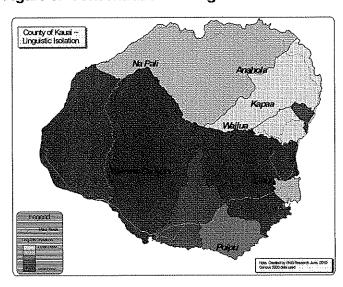


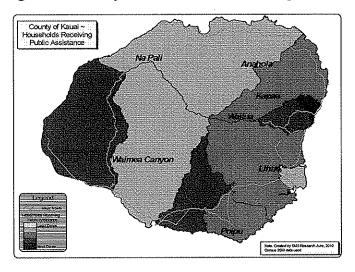
Figure 3 shows the distribution of linguistically isolated households in the County of Kaua'i. Areas highlighted in dark purple had higher concentrations of linguistically isolated households in 2007. Those with light pink had fewer linguistically isolated persons. term 'linquistic isolation' refers to households with a primary language other than standard English and have no members who speak standard English. Overall, about 2.9 percent of Kaua'i households are linguistically Based on the US Census isolated. Bureau's American Community Survey (ACS) 2006-2008 estimates, Asian languages were spoken in 83 percent

of the County's linguistically isolated households, followed at a distance by Spanish (15%) and Indo-European languages (2%).

Kaua'i had an estimated 627 linguistically isolated households. But the number of Kaua'i residents who might have problems reading or understanding rights and regulations related to the Fair Housing Law was less a problem than in other Counties. Statewide, about 6.1 percent of all households were linguistically isolated in 2007. Nationally, 4.8 percent of all households were linguistically isolated that year.

PUBLIC ASSISTANCE

Figure 4. Density of Households Receiving Public Assistance Income



Household income levels and housing options available are highly related. Households that receive public assistance income usually have severely limited housing options and often depend on public assistance for housing as well as other aspects of their livelihoods. Based on ACS 2006-2008 estimates. in 2007 Kaua'i County had a total of 668 households receiving public assistance (Figure 4). That represents three percent of all households on Kaua'i receiving public assistance. Kaua'i represents 4.7 percent of all the public assistance recipients in the State of Hawai'i.

Public assistance payments across the State; however, fell from 7.2 percent in 2000 to 3.2 percent in 2007. Nationally, public assistance recipients dropped by more than a percentage point in each of the last seven years. While Kaua'i's median household incomes are high and growing, the number of householders who depend on public assistance payments is higher than the rest of the State and nation. More important, the rate is not dropping as it has been for the rest of the country.

III. KAUA'I HOUSING MARKET

TENANCY

According to the U.S. Census Bureau, Kaua'i County had 21,958 occupied housing units in 2007. Of these, more than half (64%) were owner occupied. The remaining 7,968 housing units were occupied by renters. The figures below show the distribution of owned and rented units in the County.

Figure 5. Density of Owner Occupied Housing Units

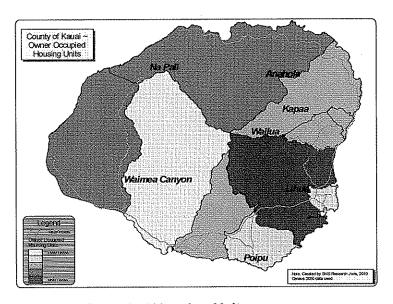
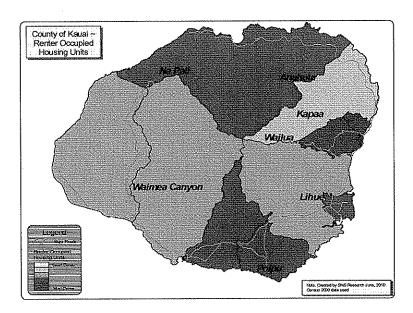
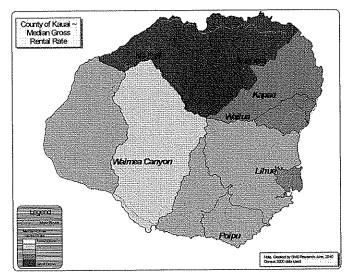


Figure 6. Density of Renter Occupied Housing Units



MEDIAN GROSS RENT

Figure 7. Median Gross Monthly Rental Rates



a studio apartment to \$1,551 for a four-bedroom unit. This suggests that rents were dropping after the most dramatic run-up in history.

Across the County of Kaua'i, median gross monthly rental rates ranged from \$400 to over \$800 (Figure 7). Rents were highest on the North Shore of the island and above average around Līhu'e and Kapa'a. Median rents were lowest in west Kaua'i, especially in the communities between 'Ele'ele and Waimea.

In 2007, the median contract rent in the County of Kaua'i was comparable to rents in the rest of the State - \$1.020 for Kaua'i and \$1,028 for all of Hawai'i. Median rents for Kaua'i were lower than the corresponding Fair Market Rents for the county, which ranged from \$595 for

Housing markets characterized by high rents and low availability often provide greater opportunity for discrimination. Landlords understand the power they have in a tight market and some will take advantage of it. Renters may feel more desperate to land one of the scarce units and ignore discrimination, fear retaliation, and abstain from reporting.

IV. FAIR HOUSING COMPLAINTS

The State of Hawai'i's fair housing laws, HRS Chapter 515, applies to each of Hawai'i's counties. It prohibits discriminatory housing practices based on race, sex, color, religion, marital status, familial status, ancestry, disability, age, or HIV infection.

When state law is substantially equivalent to federal law, state agencies can enter into work share agreements with HUD. In Hawai'i the HCRC has such an agreement. As a result, HUD refers most of its complaints to the HCRC for investigation. For a comprehensive summary of HCRC's case load, please refer to Appendix E.

FREQUENCY OF COMPLAINTS AND CASES

According to HCRC's process for evaluating fair housing complaints, a complainant must first fill out a pre-complaint questionnaire. An HCRC staff person then evaluates the questionnaire. If the HCRC has jurisdiction to address the complaint and further action is warranted, HCRC will move forward with a formal complaint. If there is no evidence that discrimination has occurred, the complainant is advised of their right to file complaints under HUD, HCRC, or on their own. If there is evidence of discrimination, a complaint may be filed, either by the complainant or by the Legal Aid Society of Hawai'i (LASH) through HUD, HCRC, or through the court system. LASH may also initiate proceedings independently.

A complaint can be resolved through mediation between the involved parties or through court proceedings². At present, a very small percentage of the complaints filed result in a court case.

FAIR HOUSING TESTING

The Legal Aid Society of Hawai'i conducts all fair housing testing in Hawai'i. LASH conducts testing of fair housing practices in Hawai'i in three ways:

- Matched-Pair Tests: LASH sends out two people to apply for the property, one of the
 protected class, one not of the protected class. In all other characteristics they are the same

 thus "matched". If one is offered the property and one is refused, then there is evidence
 of discrimination.
- Measures Tests: Tests applied to housing units constructed after 1991 designed to determine if the units are ANCI and ADA compliant.
- Systemic Tests: A new LASH initiative that recognizes that people tend to be clustered in certain areas and utilizes statistical tests to determine why that is the case.

For a detailed outline of this process, refer to Appendix D.

TRENDS IN FAIR HOUSING DISCRIMINATION COMPLAINTS

Figure 8 shows the trend in the number of housing discrimination complaints that reached the level of filing at HCRC since 1999. The number of complaints filed varies considerably from year to year. The number of cases investigated in 1999 was unusually high. Thereafter the number of complaints filed varies between 30 and 60 per year. With the exception of 2003, there was a steady increase in complaints filed between 2000 and 2006, the peak of the decade's housing price run-up. As the housing market contracted after 2006, the number of housing discrimination cases went down again.

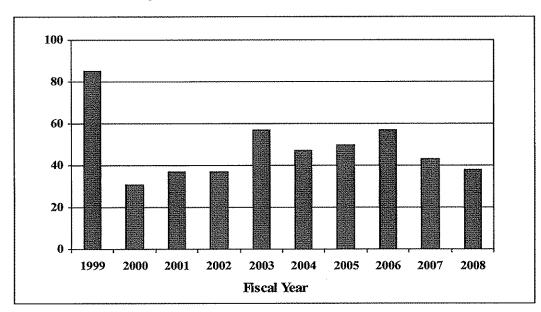


Figure 8. Volume of Housing Complaints, Hawai'i Civil Rights Commission

The trend shown in Figure 8 is consistent with the trend in the number of contacts both HUD and HCRC received during the same time period. Details on the number and nature of the contacts is unavailable at present, but our conversations with HUD and HCRC officials do not suggest any differences in the rates at which complaints involving housing and other forms of discrimination are processed. Neither did we find any evidence that filing rates are different from one county to the next.

Table 1 compares HCRC case loads for the four years preceding the benchmark AI in 2003 and the six years after that study (2003 to 2008). Because the two periods are of different lengths, we have provided the average number of incidents per year for comparison. The data show that the incidence of contacts, filings, and closures decreased in nearly every category. The single exception was housing.

Table 1. Hawai'i Civil Rights Commission Cases

	FY	1999 - 200)2	H F	Percent		
	total	avg/yr.	pct	total	avg/yr.	pct	change
Contacts	15,297	3,824	100%	45,868	9,174	100%	140%
Charges Filed	2,590	648	100%	3,765	628	100.0%	-3%
Employment	2,253	563	87%	3,288	548	87.3%	-3%
Public accommodations	177	44	7%	168	28	4.5%	-36%
Housing	141	35	5%	292	49	7.8%	40%
State funded Services	19	. 5	1%	17	3	0.5%	-40%
Closures	1,982	496	100%	2,313	397	99.7%	-20%
Employment	1,602	401	81%	1,922	320	80.6%	-20%
Public accommodations	189	47	9%	163	27	6.8%	-43%
Housing	171	43	9%	284	47	11.8%	9%
State funded Services	21	5	1%	12	2	0.5%	-60%

Source: Annual Reports, Hawai'i Civil Rights Commission.

While all other types of discrimination complaints were decreasing, housing—related activity grew. The number of housing complaints for which charges were filed increased from 35 cases per year before 2003 to 49 cases per year after 2003. That's an increase of 40 percent. The same was true for case closures. Fair Housing cases closed rose from 43 cases in the years before the benchmark to 47 per year afterwards — a growth rate of nine percent.

The number of civil rights complaints rose dramatically (140%) over the last five years. The number of complaints for which charges were filed stayed about the same (down 3%). It might be expected that a rapid increase in contacts, with the same level of resources, would result in a lower filing rate. But while all other numbers went down, the number of charges filed for violations of the Fair Housing Law went up during the same period. We do not have a report on the number of contacts initially made for housing discrimination, but charges filed went down due to the case load. The number of housing cases initially brought to HCRC rose over the last three years.

While we work with HCRC to get more precise data over the next year, it is reasonable to counsel all counties to take a cautious approach to the changes in HCRC case load. They suggest an increase in housing discrimination and/or an increase in the willingness to report that discrimination.

TYPES OF FAIR HOUSING COMPLAINTS

Fair Housing complaints are filed by HCRC using 11 different classifications as shown in Table 2. Data are presented for cases filed before and after 2003. The distribution of reasons for filing changed very little over time. Complaints based on disability were most numerous, followed by race, ancestry, and retaliation cases.

Table 2. Alleged Causes, HCRC Housing Cases

	FY 1999 – 2002			FY 2003 - 2008				
	total	avg/yr.	pct	total	avg/yr.	pct		
Housing Intake		**************************************						
Disability	50	12.5	35.5%	107	17.8	36.6%		
Race	19	4.8	13.5%	43	7.2	14.7%		
Ancestry	17	4.3	12.1%	35	5.8	12.0%		
Retaliation	16	4.0	11.3%	29	4.8	9.9%		
Familial	18	4.5	12.8%	27	4.5	9.2%		
Sex	6	1.5	4.3%	16	2.7	5.5%		
Age	2	0.5	1.4%	10	1.7	3.4%		
Marital	9	2.3	6.4%	10	1.7	3.4%		
Color	3	0.8	2.1%	6	1.0	2.1%		
Religion	0	0.0	0.0%	6	1.0	2.1%		
Other	1	0.3	0.7%	3	0.5	1.0%		
TOTAL	141	35.3	100.0%	292	48.7	100.0%		

Source: Annual Reports, Hawai'i Civil Rights Commission.

In many ways these findings are consistent with the outcomes of our discussions with fair housing experts in the county. They too felt that housing discrimination based on disability and familial status were the greatest causes for concern in Kaua'i County. But most felt that discrimination based on race and ancestry happened only rarely in the County. Several experts mentioned retaliation as an issue, but did not consider it to be a separate cause of discrimination. Retaliation could come in any form and in response to any kind of resistance against landlord discrimination.

Reports of case settlements provide examples of the situations that give rise to complaints:

- > **Disability:** After the case was settled, a condominium owner was given a reserved parking stall as an accommodation to his disability.
- Familial Status: In several cases, people were not allowed to see housing units or were denied rentals because the landlord did not wish to rent to families with children. In other cases, landlords and associations refused to allow children on the premises, citing conditions that were unsafe for children. Similarly, one family received repeated warnings about excessive noise made by the children, and the apartment owner eventually refused to renew the lease. It was determined that the warnings were a pretext for evicting the family based on familial status, and the apartment owners had engaged in a pattern of action against families with children.

One landlord raised the rent after discovering that the tenant was pregnant. The case was resolved with affirmative relief plus monetary damages. In another case, two single men were not allowed to rent a house because the landlord was looking for a married couple or family to rent it. A similar case involved a single father with two children.

GEOGRAPHIC DISTRIBUTION OF CASES

The incidence of housing discrimination was proportionate to population for all counties. Table 3 shows that the County of Kaua'i accounted for four percent of the 3,079 cases filed between 2003 and 2007. That was less than one percentage point below Kaua'i's share of the State population and identical to the county's rate for the 1999-to-2002 period.

Table 3. Distribution of Cases by, Fiscal Years 1999 to 2007

	Charges Filed 1999 - 2002			Charges Filed 2003 - 2007			Population Distribution		
	Total	avg/yr.	pct	total	avg/yr.	pct	count	share	
County	2,558	639.5	100%	3,079	615.8	100%	1,211,537	0%	
Hawai'i	300	75.0	12%	358	71.6	12%	148,677	12%	
Honolulu	1,885	471.3	74%	2,276	455.2	74%	876,156	72%	
Kaua'i	100	25.0	4%	135	27	4%	58,463	5%	
Maui	273	68.3	11%	310	62	10%	128,241	11%	

V. PUBLIC AWARENESS SURVEY

A survey of 400 individuals was conducted between September 7-27, 2009. Respondents were selected using a Random Digit Dialing (RDD) method and consisted of Kaua'i County residents 18 years of age or older. The survey content was based on a survey developed for the U.S. HUD by social scientists at The Urban Institute in Washington, D.C. It was designed to measure the level of awareness and nature of understanding of impediments to fair housing in Hawai'i. In 2009, the content of the survey was adjusted slightly to accommodate new interests in the County and to add information to the study.

SURVEY SCENARIOS

Survey respondents were presented with ten brief scenarios involving various real estate sales or rental practices that would be illegal under the Federal Fair Housing Law. The scenarios are presented in Table 4. The figure describes 10 housing practices. For each one, respondents were asked first whether they felt that practice should be legal or illegal in Kaua'i County (ethics), and then whether they thought the practice was currently legal or illegal according to Fair Housing law (legality). Their responses to those questions are shown in Table 5.

Table 4. Fair Housing Awareness, Survey Scenarios

Item	Name	Wording
1	OK to assign families with children to one segregated building	An apartment owner who rents to people of all age groups decides that families with younger children can only rent in one particular building, and not in others, because younger children tend to make lots of noise and may bother other tenants.
2	OK to reject applicant if they are poor housekeepers	In checking references on an application to rent a home, a homeowner learns that an applicant does not have the best housekeeping habits; they do not always keep their current home neat or clean. The owner does not want to rent to such a person.
3	Ok to refuse to allow wheelchair ramp construction	A homeowner is renting to a tenant who uses a wheelchair. The building is old and does not have a wheelchair ramp, and the tenant wants a small wooden ramp constructed at the building door to more easily access the building. He asks the owner if it is okay to build the ramp. The tenant says he will pay all the costs, and agrees to have the ramp removed at his own expense when he leaves. The owner, however, believes that such a ramp will not look good on his building, and decides he does not want it constructed on his property.
4	OK to advertise for "Christians preferred"	A homeowner places a notice on a community bulletin board to find a tenant for a vacant apartment. The notice says, "Christians preferred."
5	OK to reject applicant for mental illness	In checking references on an application for a rental unit, a homeowner learns that the applicant has a history of mental illness. Although the applicant is not a danger to anyone, the owner does not want to rent to such a person.
6	OK to reject an applicant because of religion	An apartment owner learns that an applicant for a vacant unit has a different religion than all the other tenants in the building. Believing that other tenants would object, the owner does not want to rent to such a person.
7	OK to sell only to Caucasians in Caucasian neighborhoods	The question involves a family selling a house through a real estate agent. They are Caucasian, and have only Caucasian neighbors. Some neighbors tell the family that, if a non-Caucasian person buys the house, there would be trouble for that buyer. Not wanting to make it difficult for a buyer, the family tells the real estate agent they will sell their house only to a white buyer.
8	Ok to show Caucasians only homes in Caucasian areas (steering)	A Caucasian family looking to buy a house goes to a real estate agent and asks about the availability of houses within their price range. Assuming the family would only want to buy in areas where white people live, the agent decides to show them only houses in all-white neighborhoods, even though there are many houses in their price range that are in other parts of the community.
9	Ok to reject loan applicant because of lack of steady income	A Hawaiian person applies to a bank for a home mortgage. He does not have a steady job or enough income to pay a monthly mortgage payment. When the applicant did work, the job did not pay much. Because of the lack of a steady job and insufficient income, the loan officer decides not to give this person a mortgage.
10	OK to require higher down payment for a Samoan family	A Samoan family goes to a bank to apply for a home mortgage. The family qualifies for a mortgage but, in the bank's experience, Samoan borrowers have been less likely than others to repay loans. For that reason, the loan officer requires that the family make a higher down payment than would be required of other borrowers before agreeing to give the mortgage.

Three measures of awareness were extracted from the data: social norms, lack of awareness, and incorrect knowledge of the law. For each of the scenarios, the objectives were as follows:

- 1. **Social norms:** Increase the percentage of respondents who feel the practice should not be permitted by at least four percentage points.
- 2. **Awareness**: Decrease the percentage of respondents who were not sure of the legal status of the practice by four percentage points.
- Correct Knowledge: Among those who had an opinion on the legal status of the practice, increase the percentage of respondents who knew the practice was illegal by at least four percentage points.

Table 5. Fair Housing Awareness, Kaua'i County, 2003 and 2009

Sales or Rental Practice	Should not be permitted		ls now Illegal		Not sure of law	
	2003	2009	2003	2009	2003	2009
OK to sell only to Caucasians in Caucasian neighborhoods	71%	89%	76%	93%	30%	14%
OK to reject an applicant because of religion	85%	88%	94%	92%	20%	15%
OK to require higher down payment for a Samoan family	86%	90%	87%	89%	24%	21%
OK to advertise for "Christians preferred"	63%	63%	85%	89%	23%	18%
OK to show Caucasians only homes in Caucasian areas.*	13%	74%	19%	80%	21%	26%
OK to reject applicant for mental illness	53%	56%	81%	80%	38%	28%
OK to assign families with children to a segregated building	43%	44%	75%	73%	45%	33%
OK to refuse to allow wheelchair ramp construction	60%	64%	77%	71%	38%	32%
OK to reject an applicant because of poor housekeeping	24%	25%	60%	57%	43%	35%
OK to reject loan application for lack of steady income *	— 2000-001-04-04-04-04-04-04-04-04-04-04-04-04-04-	11%	Sectional Material Page	16%	esentraleration/Albert	20%

^{*} Question was added or wording was changed in the 2009 version of the steering question.

Only eight of the ten scenarios can be used to test the objectives. The loan application question was added in 2009 and the wording was changed on the steering question. The comparison is presented but is not meaningful. A substantial majority felt that steering was both inappropriate (74%) and illegal (80%). The last item, deny a loan based on the lack of a steady income, did not appear in the 2003 survey. The 2009 survey respondents did not think it would be unjustified or illegal to deny a loan because the person did not have a steady job.

The survey findings shown in Table 5 can be applied to the three Al research questions as follows:

Social Norms: Social norms are changing in the right direction and the rate of change has not matched County objectives. The social norms for Fair Housing in Hawai'i improved for seven of the eight sales and rental practices evaluated. The evaluation objective (to raise the norm by four points or more) was met for three items – selling only to the members of the dominant race in the neighborhood, requiring a larger down payment for an ethnic group, and the requirement to allow wheelchair ramps.

Awareness: Awareness of what is legal and what is not improved for a few items, but the pace of change was very slow. Awareness of the law improved for three of the eight test items. Only one of those (forcing people to maintain neighborhood homogeneity) improved by more than four points. Awareness dropped for five of the eight practices, and for one of those it went down by more than four points.

Knowledge: The percentage of respondents who had any opinion at all has been changing for the better. Response rates increased for all of the eight items. This suggests that more Kaua'i County residents have at least some understanding of fair housing issues.

Overall, the awareness of Fair Housing Law in the County of Kaua'i improved between 2003 and 2009. We presented a total of all 24 tests, three for each of the eight scenarios measured in both years. Of those, 18 measurements (75%) were either better or the same as in 2003. Only three scenarios dropped by statistically significant margins. The level of change was not great. Four of the 24 tests (16%) increased by four percentage points or more.

The modest gains shown in Table 5 were to be expected. The County's 2004 Fair Housing Plan was not designed to dramatically increase public awareness of the Law. The plan concentrated on training and education of real estate agents, property managers, and advocates for target groups. It did not propose major changes in broadcast or print advertising. Large-scale changes in social norms and public awareness usually occur in response to substantial print or broadcast advertising campaigns or to public exposure of actions brought against those who break the law.

DISCRIMINATION

Kaua'i residents reported less discrimination in 2009 than in 2003. Fewer people reported discrimination and fewer incidents. The survey asked everyone if they had ever experienced discrimination in the process of buying or renting a house or apartment on Kaua'i. In 2009, 19 percent said they had experienced housing discrimination. That was down three percentage points since 2003. The difference was not statistically significant.

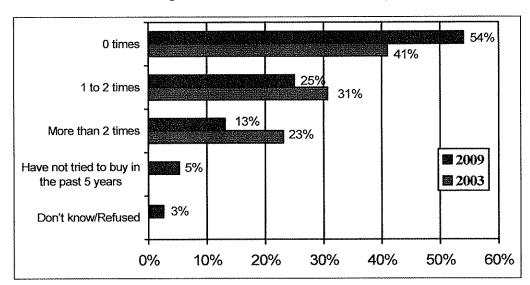


Figure 9. Incidence of Housing Discrimination in Kaua'i County, 2003 and 2009

Among those who experienced housing discrimination on Kaua'i, fewer incidents were reported. In 2003, 31 percent said they experienced discrimination once or twice and 23 percent said it happened more often than that. In 2009, 25 percent reported experiencing discrimination once or twice, and 13 percent said it happened more often.

REACTION TO DISCRIMINATION

Whether or not they actually experienced housing discrimination in 2009, more Kaua'i residents were willing to do something about it. All survey respondents were asked what they would do if they felt a seller or renter was discriminating against them. Results are shown in Figure 10 for 2003 and 2009.

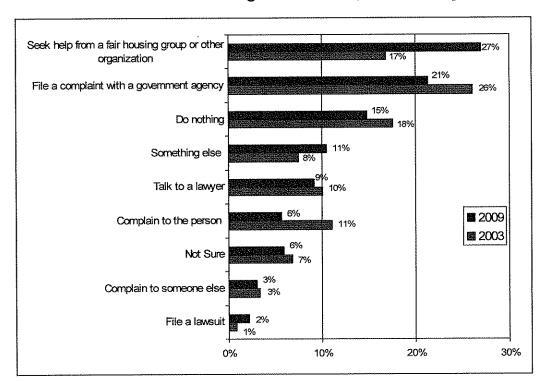


Figure 10. Reaction to Perceived Housing Discrimination, Kaua'i County, 2003 and 2009

In 2009, fewer respondents said they would do nothing about discrimination and they weren't sure what to do. The major change was in willingness to consult with a housing group or government agency about discrimination. Fewer Kaua'i residents were willing to confront the offender, talk to a lawyer, or file a complaint with a government agency. The findings are consistent with the expert interviews conducted on Kaua'i. Many experts felt that a fear of retaliation or at least a reticence to risk a confrontation, greatly hinder the identification and treatment of housing discrimination on Kaua'i.

^{*} Multiple responses were permitted.

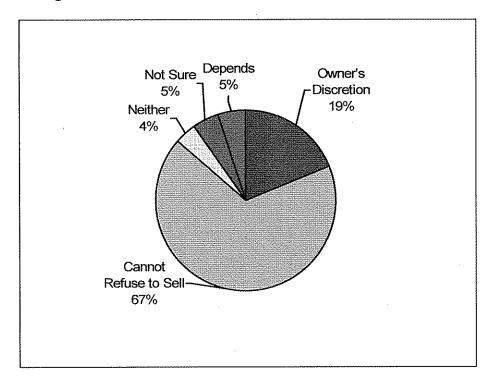
REACTION TO FAIR HOUSING LEGISLATION

A new item was added to the survey in 2009 to measure reaction to the broader concept of Fair Housing Law. The intent was to augment the measurement of many individual aspects of the Law with a very general question on the acceptability of Fair Housing laws. The proposition to be evaluated was:

Suppose there's a community-wide vote on housing issues, and there are two possible laws to vote on. One law says that homeowners can decide for themselves whom to sell their house to, even if they prefer not to sell to people of a certain race, religion, or nationality. Another law says that homeowners cannot refuse to sell to someone else because of their race, religion, or nationality. Which law would you vote for?

If the State or County put the Fair Housing Law before the voters in 2009, about 67 percent of Kaua'i voters would have approved a law that regulates real estate procedures in order to eliminate housing discrimination. About 19 percent would have voted against it, preferring instead to maintain a *laissez-faire* approach to the housing market. The other 14 percent weren't able or willing to choose to support or oppose the law. It will be interesting to monitor the reaction to this generic proposition in the future.

Figure 11. Voting



ADVERTISING AWARENESS

In 2009 Kaua'i residents were more exposed to advertisements regarding Fair Housing than they were in 2003. In 2009, 19 percent of residents reported being exposed to some type of Fair Housing advertisement in the past three months, up 10 percentage points from 2003 (9%).

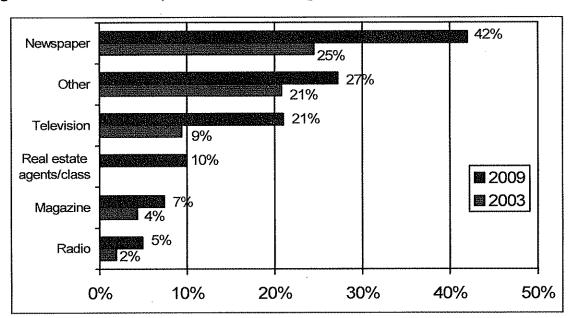


Figure 12. Mediums of Exposure to Fair Housing Advertisements

There were increases in all types of Fair Housing advertising reported by Kaua'i residents in 2009. The highest percentages in both years occurred in newspaper advertising. People reported seeing Fair Housing logos attached to ads or placed in the real estate section. Reports of seeing Fair Housing ads on television nearly doubled between 2003 and 2009. Reports of hearing ads for Fair Housing law in real estate classes or from real estate agents were noticed for the first time in 2009. Prior to that time, we had not received a response. Perhaps this suggests that trainings provided by the County and other housing agencies on Kaua'i have had a positive impact. Overall, however, we are puzzled by these results. Our canvassing of housing informants in the County suggested that little advertising had been done at all in the previous three or four years.

VI. AGENCY INTERVIEWS

The central component of the AI study was a set of interviews conducted with staff members at housing agencies, with advocacy groups, and with other experts with some interest in or knowledge of Fair Housing issues. SMS conducted interviews with experts located on the islands of Kaua'i and on O'ahu to determine what each perceived to be major impediments to fair housing. Agencies were selected because they fit into the classes of key informants recommended for AI studies.

The agencies that SMS interviewed for the Kaua'i County study were:

- > Aloha Island Properties
- > American Savings Bank
- > Catholic Charities Kaua'i
- Department of Housing and Urban Development (HUD)
- > Hawai'i Civil Rights Commission
- > Hawai'i Disability Rights

- Kaua'i Board of Realtors
- Kaua'i Community Mental Health
- Kaua'i Economic Opportunity
- Legal Aid Society
- Mental Health Association

Subjects were asked to comment on their familiarity with the Fair Housing Law, its efficacy on the Island of Kaua'i, and possible improvements for the most pressing impediments to Fair Housing. Virtually everyone with whom we spoke agreed there was housing discrimination in the County of Kaua'i. Most felt it was less serious than in the past and nearly everyone felt it was without deliberate and malicious intent. We were told that Kaua'i County housing discrimination was a result of ignorance of the law, lack of knowledge or understanding, or misinterpretation of regulations. These experts felt that in order to combat impediments to Fair Housing on Kaua'i, education and training needed to be improved and expanded.

Though enforcement was not a major issue among our informants, there were some concerns. A few mentioned that perhaps some small independent landlords were less than innocent in their transgressions of the law. Two noted that some of those who attend training sessions are there to learn the law and how to circumvent it. One informant told us that managers of public housing agencies may be responsible for some of the serious cases of discrimination. That person was referring to rules and regulations, which may or may not originate "higher up". These informants were somewhat more likely to agree that Kaua'i's Fair Housing Action Plan might consider turning some attention to enforcement.

DISCRIMINATION IN THE EYES OF THE EXPERTS

More discrimination was reported by the experts, service providers and advocates that we interviewed this year than in 2003. Specifically, we were told about:

Disability: Some knew that most of the discrimination filings at HUD were occasioned by discrimination against persons with disabilities. Inaccessible units (noncompliance with reasonable accommodation laws) and denial of service were particularly noticeable among private owners who are not sufficiently trained.

- Familial Status: Property owners have been known to discriminate against families with children due to the potential wear and tear that they may cause to the property. Participants' views varied on the prevalence of single-parent discrimination. Some felt it existed, others said they had not witnessed this type of discrimination. Several noted discrimination against large families or extended families.
- Immigrant and Ethnic Discrimination: Most agreed it was difficult to tell which was actually at work on Kaua'i. We were told that complaints of ethnic discrimination occur, but very infrequently. Some felt it may have been caused by the difficulty of bringing actions on the basis of race. There were usually other issues that could be cited by landlords without mentioning the ethnic background of the applicant. More frequently, the discrimination would target recent immigrants who were less likely to report discrimination because they do not understand the American legal system and they are more likely to expect retaliation.
- Mental health and substance abuse: Several informants told us that discrimination against persons with mental health issues are sometimes perpetrated as refusal to rent to substance abusers. Advocates for mental health clients estimated that 65 percent of mental health patients were dual diagnosed with substance abuse problems. Records of substance abuse are not expunged even after rehabilitation. These issues make it particularly difficult to find and retain housing for their clients.
- Gender: No one mentioned outright discrimination against males or females, or even against gays, lesbian or transgender persons. Several felt there has been an increase in sexual harassment cases related to housing, but it usually goes unreported.

IMPEDIMENTS IDENTIFIED

The list of impediments to Fair Housing was also a bit longer in 2009 than in 2003. The list below is offered in no particular order of importance.

- ➤ Education: Many agencies offer trainings of some sort but the attendance rates have been low. Many respondents felt that trainings offered by KCHA were excellent. While some were well attended, there was still the feeling that not enough people were being trained, and that those being trained may not be the ones who are most in need. Many felt that training opportunities for the protected classes were sufficient, high quality, and effective and that training for property managers were well attended and adequate. But they were less certain that small property managers and individual landlords were being well trained in sufficient numbers.
- Reporting Fair Housing Violations: Nearly everyone we interviewed felt that complaints recorded by HCRC seriously underestimate the actual incidence of housing discrimination on Kaua'i. This was not a criticism of HCRC or HUD. In fact, both HCRC and HUD would agree with the assessment. Rather, it is believed that victims of housing discrimination often choose not to report egregious cases of discrimination, which happens for a variety of reasons. The most problematic is fear of confrontation or retaliation, which occurs more often among the protected classes than among other Kaua'i residents. This was no different than what we heard in 2003, although this year informants reported that the problem affected Neighbor Island populations to a greater extent than on O'ahu. In smaller, more integrated communities, "everyone knows everyone else," and the fact that a person filed a complaint will be widely known. The possibility of retaliation is perceived to be greater than in larger communities.

- Testing: There were some who were not aware that LASH testing was being carried out on Kaua'i. No one had seen any results, and most felt the program testing was insufficient to counteract housing discrimination. Some reported that the big problem was the shortage of testers on Kaua'i. Volunteer testers fear their anonymity will be compromised in small communities. LASH agreed with that assessment and also with the proposition that more testing is needed for Kaua'i. In addition, the County and the housing advocates on Kaua'i don't get the results of testing on a regular basis. The situation can be improved if LASH testing results are provided to County Housing Officials on a regular reporting schedule.
- Technology: Technology issues were the major new development for Fair Housing Al studies in 2009. Both advantages and disadvantages cited. On one hand, Internet access to information on Fair Housing was cited as a very useful tool. In 2003, no one even mentioned the Internet as a resource in Fair Housing work. In 2009, when we asked informants where they would go to get information on Fair Housing Laws for themselves or their clients, virtually all of them offered as their first choice: "I'd go to the Internet." On the downside, recent studies at HUD Honolulu note that rental advertising on the Internet offers many opportunities to bypass scrutiny and place overtly discriminatory advertisements. Advertisements on websites such as Craigslist are currently not reviewed. One participant remembered specific advertisements that published unlawful phrases from renters such as, "no HUD" and "no children." HUD is completing its study now and will be seeking solutions to the problem for implementation in the near future.
- Geographic Segregation: Due to many factors such as land expenses and community refusal to accept group homes, care homes are not widely available to the public. Disabled individuals may not be able to get the services they need or are forced to accept housing in areas other than where they would like to live.
- Media/Technology: Participants could not remember seeing any advertisements promoting Fair Housing laws. Three informants felt that advertising would help, especially in reaching the small independent landlords and the general public.
- Public Housing Regulations: Several informants felt that current regulations limit access to public housing for protected classes and constitute de facto discrimination. The examples were noted. First, rules that ban children from senior housing projects fail to take into consideration the rising number of children being cared for by grandparents and can be interpreted as discrimination due to familial status. Second, it was alleged that public housing residents are not provided sufficient notice before being evicted. That may create more homeless families in an environment where affordable rentals are hard to find. Third, credit and background checks cause serious problems for low-income families. There are few homeless individuals with a solid credit background and immigrants have no credit background at all.

RECOMMENDATIONS FOR IMPROVEMENT

There was a strong consensus among our expert informants that more training and education was needed. They understood that training and education had been the major thrust of the previous action plans. Training and education in their own programs were being done. They also felt that the best thing to do in Kaua'i's current fair housing environment was to continue that same strategy. Members of the protected classes needed continued training in their rights. Small landlords and large property managers, real estate agents, and private owners needed training. They also requested stronger enforcement of training rules for violators of the law. We were told that proper education enlightens the public of their rights, informs landlords of potential transgressions, and could be the most effective tool against the fear of retaliation and underreporting.

As in 2003, the most important enforcement procedure was to identify a successfully prosecuted Fair Housing transgressor, and issue press releases to keep that case in the headlines. It was expected that the story might lead landlords to compliance. But the most valuable use for the story was as a training tool to show landlords what can happen if Fair Housing laws are violated. That is, enforcement is useful in training and education.

There was some concern that the geographic segregation issue could lead to a legal action being brought against the State or counties. Our informants hoped that would not happen and opted instead to work on the problem in the planning phase, that is, plan for more broadly distributed public housing projects.

There should be a more effective way to monitor housing advertisements on the Internet, and a few felt it would be useful to put together a larger budget for broadcast advertising.

VII. DEVELOPING ACTION PLAN

FOUNDATIONS

The project outline for the 2009 Al required that we identify impediments, develop recommendations, and prepare an Action Plan. The Action Plan for the County of Kaua'i was developed by the Kaua'i Fair Housing Officer. Elements of the plan were based on the 2003 action plan, the 2009 Al study, and County experience. The Action Plan was designed to address the most pressing needs of the people of the County of Kaua'i.

Across the State, Fair Housing Officers saw a need to generate Fair Housing Action Plans that were: (1) feasible with respect to resources available and the constraints of the Law; (2) capable of addressing the most important impediments identified by the community, and (3) fully integrated into the responsibilities of the Fair Housing Officer.

During the course of the project several major responsibilities of Fair Housing Officers were identified that corresponded directly to the general classification of impediments identified by the housing community³. Those included:

Supply and Demand Issues: A set of issues and responsibilities that concern the limited supply of housing units suited to target populations as an impediment to Fair Housing. In general it was felt that a tight market for any targeted subpopulation increased the threat of discrimination against that group. More favorable ratios of supply to demand tend to increase competition for tenants and reduce discrimination. In general, all actions from the Kaua'i's Fair Housing Officer are intended to support the development of ample housing units supplies suited to the needs of the protected classes⁴.

Management, Coordination, and Standards Issues: A set of issues and responsibilities that describe problems with housing program rules and regulations negatively impact clients or impedes efforts at education and enforcement of the Fair Housing Law. Complicated or unclear rules and procedures cause problems for clients and may seem to contradict the need for fairness and equal treatment. Poorly coordinated or even contradictory policies and procedures make the County's compliance enforcement role a difficult one. The lack of appropriate standards for housing and Fair Housing enforcement can reduce the effectiveness of Fair Housing efforts.

Education Issues: A set of issues and responsibilities that is related to the need to educate people about the Fair Housing Law. The Fair Housing Law will only be effective if clients know their rights, landlords know their responsibilities, advocacy groups know their options, and lenders and insurers understand how the law affects their operations.

Note that most impediments developed in this AI are rendered according to this general classification scheme.

Monitoring and removing impediments to Fair Housing in the County does not; however, include the actual development of housing units.

Enforcement Issues: A set of issues and responsibilities that surround the enforcement of Fair Housing Law for each of the targeted subpopulations. Fair Housing Law can be properly enforced only if we have the appropriate laws for the intended clients, if reporting procedures are understood and utilized, if early diagnosis can be used to avoid discrimination before it occurs, cases are investigated quickly, prosecuted effectively, guilty persons punished, and would-be discriminators are made aware of the consequences of their actions.

Policy Development Issues: These include a set of individual issues, which are often directly related to one or more of the previous classifications. These tend to take on a life of their own when specific Fair Housing policies need to be generated or changed. Recent examples of policy development issues and responsibilities include interest in petitioning for use of countywide Fair Market Rents for the Section 8 Voucher program and the expressed need to alter HUD policies regarding drug histories.

Communications Issues: These issues and responsibilities grow out of the Housing Officer's leadership role in AFFH. By default, the Housing Officer becomes the central node in the Fair Housing communications network for the County. Other State Housing Officers, members of the housing services providers network, advocates for the protected classes, landlords and property managers, and the people of the jurisdiction, all seek the advice direction, and leadership from KCHA. In no other county did we find this to be as true as in Kaua'i. All of our informants spoke highly of KCHA and its work. While this does not mean that KCHA need to take leadership role in directing the work of others, it means that others expect KCHA to have an Action Plan and to keep the lines of communication open.

An effective Fair Housing Plan must be grounded in these issues that make up Fair Housing policy and procedures in the County.

REASONABLE ACTION PLAN ELEMENTS

Action Plans that target many impediments are not likely to be the most effective plans. In selecting elements for its Action Plan, the County of Kaua'i set the following objectives:

- 1. Select a manageable number of impediments that are:
 - a. perceived by the countywide housing community to be important problems;
 - b. within the authority of KCHA;
 - c. feasible within current resource and time constraints, and
 - d. have definable, measurable outcomes.
- 2. Develop a feasible action plan with tasks, subtasks, and timelines for each item
- 3. Produce written, feasible, time-oriented objectives regarding each item
- 4. Develop measures of effectiveness that will gauge the success or failure of the plan

OVERVIEW OF THE ACTION PLANNING PROCESS

The County of Kaua'i Fair Housing Action Plan was developed after reviewing the results of the Al study for 2009. SMS staff developed a draft Action Plan that described the impediments, actions to address them, and measures of effectiveness to be used. The Fair Housing Officer reviewed the draft Plan and we made changes or clarifications as requested. Finally, SMS produced the final copy of the Plan.

VIII. COUNTY OF KAUA'I ACTION PLAN: 2003-2008

IMPEDIMENT ONE: APPLICANTS AND LANDLORDS ARE UNAWARE OF THEIR RIGHTS AND RESPONSIBILITIES

An examination of issues identified in the research process yielded the following contributing causes of this impediment:

- > Applicants are not aware of their rights;
- > Applicants do not follow up with authorities if they are denied their rights;
- Landlords are not aware of the laws;
- > Landlords are not aware of the consequences of not following the law, and
- Advocacy groups who work with applicants are not totally aware of all the laws.

Before landlords can be expected to follow the laws of Fair Housing, they must be aware of the laws and understand the impact of non-compliance. Likewise applicants must know what they should expect in dealings with potential landlords.

The Public Awareness Survey shows clearly that the general public is unsure about laws relating to fair housing. In most housing scenarios evaluated, the majority of respondents were unsure about what is legal. The respondents were split between believing the specific action was or was not permissible. In addition to this uncertainty of the basic laws, there is also a disparity between what people think the laws may be and what actions they believe should be permissible.

Comparing the 2009 public opinion survey with the survey conducted in 2003, there was clearly some improvement in knowledge of Fair Housing laws over the last six years. Not all items showed improvement, and among those items on which improvement was recorded, the level of change was not statistically significant. This occurred despite the fact that most experts we interviewed reported that training did occur.

The Public Awareness Survey indicated that few people (14%) in Kaua'i County who were involved in a discriminatory situation in a rental process actually took an action to report or rectify the situation. The reasons for not acting ranged from uncertainty of knowing what actions were possible to not wanting any further difficulties with the landlord. This lack of action is one contributing factor to continuing discrimination — there are no repercussions for lack of compliance.

Language is one barrier to awareness and was cited as a problem on Kaua'i in 2003. This year, no one mentioned language as a significant problem with respect to Fair Housing. The latest demographic information shows that very few households on Kaua'i are linguistically isolated⁵. Translation of documents can be easily be included in new training programs, but it does not seem to be a requirement in 2009.

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These are households whose primary language are not English and in which no one in the household speaks Standard English.

The reduced number of Civil Rights complaints related to housing may be a result of greater compliance, however it may also be a result of less awareness that violations have occurred or people's decreased willingness to report a violation. The 2003 Public Awareness Survey was a benchmark and future surveys will be able to track whether awareness is increasing, staying the same or decreasing, and whether there is a direct correlation to Civil Rights complaints.

The increase in the annual number of Civil Rights complaints related to housing since 2003 occurred in the context of rapidly decreasing complaints in other areas (employment, public accommodations, and State-funded services). This may have been the result of tighter controls, greater willingness to report discrimination, or dramatically increased incidence of housing discrimination. Our expert interviews reported more discrimination, especially as compared with what is reported to HCRC. On the other hand, the Public Awareness Survey tells us that fewer people experienced housing discrimination in 2009.

Even if some evidence seems to disagree, it is overwhelmingly clear that the Fair Housing community on Kaua'i, represented by the people in our key informant interviews, want to see more education and training. They feel that more and better training is needed on everyone's part. Greater awareness of the laws and why they are in place, understanding how to report violations, and the consequences for non-compliance will result in more equal housing opportunity for all of Hawai'i's residents.

Action Plan

Impediment One will be the first priority of KCHA for the next three years. The challenges in reducing this impediment are significant:

- > Reaching those most in need of this information landlords and applicants and those who interact with and provide services to them;
- > Providing the message in a manner and language to enhance comprehension, and
- Repeating the message enough times for people to comprehend; and
- > Maximizing limited resources to finance this communications effort.

In 2010, KCHA will work with other housing agencies to integrate their needs, concerns, and resources into training programs across the County. Those agencies will include, but not be limited to the HPHA, HUD and HCRC, Legal Aid Society of Hawai'i, other State, County, and non-profit agencies in Kaua'i County who have responsibility of housing production, distribution and management, and agencies who advocate for the protected classes. Their needs and resources will be incorporated into revised training and educational presentations developed for distribution by KCHA.

During the remainder of 2010, KCHA will also take the responsibility for coordinating Fair Housing training and education resources available to the people of Kaua'i County. For the next three years, KCHA will include in all public meetings and planning sessions a component dedicated to the coordination of training and educational materials. During that period, KCHA will make available all new training and education materials to other agencies who may wish to use them.

Other education and training activities and programs may be added to this task list in the next three years. In each case the Fair Housing Officer will design and implement those activities, insert them into the Action Plan, and inform other members of KCHA that they have been, or will be, implemented.

Measures of Effectiveness: The ultimate success of this action step will be realized when Impediment One no longer appears on the list of impediments to Fair Housing in Kaua'i County. For the next Analysis of Impediments, the County's outcomes objectives are:

- Housing experts will volunteer training and education resources in the County, and are sufficient for current needs;
- 2. Expert rankings of impediments to Fair Housing will place lack of training and education for protected classes, general public, and landlords below second place, and
- HCRC reports will register a decrease in the average number of complaints filed for housing discrimination, and that it will decrease by at least ten percent.

IMPEDIMENT TWO: THERE IS INSUFFICIENT ENFORCEMENT OF FAIR HOUSING LAW

The enforcement of Fair Housing Laws was placed far down the list of critical impediments to Fair Housing in the County of Kaua'i in 2009. Most residents and housing experts feel that the housing discrimination in the County is caused by a lack of knowledge on the part of landlords and tenants. But, for the first time in 2009, there was some evidence that enforcement is becoming a larger issue.

More complaints of housing discrimination were filed with HCRC in recent years. The 2009 Public Awareness Survey showed that more people had experienced discrimination and that more were taking serious action against the perceived perpetrators. This may suggest that serious discrimination has occurred in recent years. HUD reports that its research show that Internet violations of Fair Housing law are much more frequent and flagrant than other kinds of housing advertising. For the first time, housing experts interviewed in 2009 suggested that at least some of the discrimination observed may have resulted from deliberate discrimination rather than ignorance of the law. These and other indicators have caused KCHA to consider shifting some attention to Impediment Two over the next few years.

There were three areas in which some action is needed. First, HCRC's work in enforcing Fair Housing law might be more effectively used as a deterrent. When complaints are successfully adjudicated, the results of successful cases might be more aggressively communicated to the public. Currently, very little information is available to the public regarding the penalties suffered by housing providers who violate fair housing laws and discriminate against the protected classes. Publishing that information will remind people that the penalties and repercussions for violating fair housing laws are real and will be applied.

Second, the LASH testing program is one of the more effective enforcement procedures available to the County. LASH testing solves the problem of failure to report discrimination because of fear of retaliation. Interviews within the County suggested that some feel too little testing occurs in the County of Kaua'i. LASH officials tend to agree. It occurs in part because the testing team is located on O'ahu and in part because it has been difficult to recruit testers on islands other than O'ahu. Communities on islands other than O'ahu tend to be smaller and more homogeneous. In a place where "everyone knows everyone else", recruiting residents to play the role of tenants in an effort to uncover possible housing discrimination can be difficult.

Finally, there is the possibility that Internet discrimination may be occurring on a fairly widespread basis. It raises the specter of a hidden but widespread discrimination against the protected classes on Kaua'i. Few housing officials have any experience with Internet discrimination and even fewer feel technically equipped to deal with it.

These issues have prompted KCHA housing officials to plan for increased effort toward Fair Housing law enforcement issues in the coming years.

Action Plan

KCHA proposes a three-point action plan for implementation in the next three years.

KCHA will work with HUD, HCRC, and LASH to identify and publicize successful actions taken against those convicted of violating Fair Housing Laws in the County. The County will also identify key media to whom press releases will be provided in order to maximize the reach of this information. Other details of this plan will be refined in consultation with HUD, LASH, and HCRC. The goal of this cooperative effort will be to put together one or two press releases for the next three years.

KCHA will request a meeting with LASH administrators on how to best report testing results in the future. The meeting will also agree to the procedures and safeguards to be used in reporting that will not jeopardize the confidentiality of the testers.

The County of Kaua'i Fair Housing Officer will work with the Legal Aid Society of Hawai'i to increase the amount of testing done in the County in the next three years. As part of that cooperative effort, the County of Kaua'i will work with other housing agencies in the County to assist LASH by recruiting, training, and retaining Fair Housing testers in the County. The County Fair Housing Officer will coordinate the efforts and resources of all agencies in the housing network and will maintain emphasis on this issue for the next three years.

The County of Kaua'i Fair Housing Officer will work with HUD, housing officers at HPHA and other counties, to continue to monitor Internet housing discrimination, to identify successful methods of dealing with the issue, and to implement any resulting anti-discrimination initiatives or programs in the County of Kaua'i.

Measures of Effectiveness

The ultimate measure of success in these actions will be realized when the enforcement of Fair Housing Laws is not included among critical impediments to Fair Housing in future Al studies. Over the next three years our outcomes measures will be:

- With LASH, HCRC, and HUD administrators' support, LASH will have issued at least two press releases to County media with details of the infraction, the resulting consequences for the violator, and the implications for Fair Housing law enforcement in the County.
- 2. The number of Fair Housing tests conducted by LASH in the County of Kaua'i will increase by 50 percent in the next three years.
- 3. By January of 2011, there will be a team of at least four members trained and qualified to do LASH testing in the County of Kaua'i.
- 4. By December 30 in each of the years 2011 and 2012. The County of Kaua'i Housing Officer will publish on its website, a report on progress in the effort to identify and control Internet violations of the Fair Housing law.

IX. CONCLUSIONS

This section of the AI report covers additional comments and recommendations related to the implementation of the County of Kaua'i Fair Housing Action Plan.

ACTION PLAN IMPLEMENTATION

Progress toward the Fair Housing Action Plan objectives will be placed on the agenda for each quarterly meeting of Fair Housing Officers in Hawai'i's five jurisdictions. Regular discussion of action plan issues will assure a constant level of attention to plan objectives and activities. Because Hawai'i's Fair Housing Officers meet on a regular basis, action plan elements will also benefit from integration and cooperation that are the hallmark of local operations.

We recommend that written interim annual progress reports be prepared and shared with appropriate partners (Fair Housing Officers, Housing Coordinators) on a regular basis.

We also recommend that progress toward the County of Kaua'i Fair Housing Action Plan objectives be documented for inclusion in future Al projects. It will suffice that progress, problems, and activity changes are recorded in monthly meeting notes, and that detailed summaries are included in annual interim progress reports.

FUTURE ANALYSIS OF IMPEDIMENTS PROJECTS

HUD suggests that Al projects be repeated every three to five years. Because the Fair Housing discrimination environment may be changing more rapidly in Hawai'i, we recommend that the next County of Kaua'i Analysis of Impediments be scheduled for 2012.

COMPLIANCE DATA REPORTING FORMATS

In Hawai'i, Fair Housing complaints are filed with HCRC. Its annual report of activities and accomplishments makes compliance monitoring a relatively simple matter for Fair Housing Officers. We have noted that HCRC does not produce standard reports of activities and outcomes by County. We recommend that the County of Kaua'i Fair Housing Officer consult with HCRC and discuss the possibility of developing an annual report of compliance data specifically for the County.

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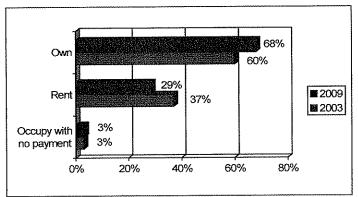
XI. APPENDIX

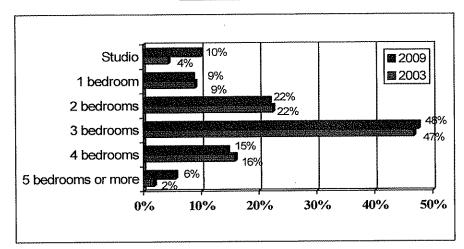
APPENDIX A: DEMOGRAPHICS OF SAMPLE

The demographic distribution of those surveyed were generally older respondents, with 79 percent who were over the age of 45. A little less than a quarter (22%) had a 2008 income between \$50,000 and \$74,999, and a median income of \$52,000. Full-time employees (44%) and Caucasians (51%) represented almost half of the respondents, which was a majority of the sample.

There were some shifts in the demographics of respondents, such as a 14-percentage point decrease in those employed full-time and a 6-percentage point increase in retired respondents. This could largely be caused by the fact that it was strictly a landline survey that was completed. There has been a general shift in younger respondents to carrying only cell phones and not having a landline, therefore making them unreachable in this type of study. There were changes in almost all demographic traits, except household size, which remained fairly consistent with the 2003 sample.

The majority of those surveyed reported that they currently own their home (68%). However, 29 percent classified themselves as renters. When asked about the number of bedrooms in their residence, the majority of respondents had either a two-bedroom (21.8%) or three-bedroom (47.5%) home.





APPENDIX B: GLOSSARY OF TERMS

Affirmatively Further Fair Housing (AFFH) — Agencies involved in housing administration at all levels of government are required "to administer the programs and activities relating to housing and urban development in a manner to affirmatively further the policies" of the Fair Housing Act. The policies of fair housing are intended to put a stop to discrimination and to promote the integration of protected class members throughout the community. This means that governmental agencies that receive certain federal housing funds must review their policies and practices to determine their impact on housing access for protected class populations and to take affirmative steps to eliminate barriers to access.

Analysis of Impediments (AI) - The Analysis of Impediments (AI) to fair housing choice is required by all state and local units of government that receive certain federal funds from the U.S. Department of Housing and Urban Development (HUD), including Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds. The AI is a comprehensive review of a jurisdiction's laws, regulations, administrative policies, procedures, and practices to determine how they affect the location, availability, and accessibility of housing. This includes an assessment of both public and private practices.

Fair Housing - Under the Federal Fair Housing Act (FHA), discrimination in the sale or rental of housing, or in the creation and implementation of housing policies and programs, on the basis of race, color, religion, sex, handicap/disability, familial status, or national origin is illegal. Fair housing means access to housing that is unrestricted by discrimination on these grounds.

Impediments to Fair Housing Choice – Any actions, omissions or decisions taken because of race, color, religion, gender, disability, familial status or national origin which restrict housing choices or the availability of housing choices; or any actions, omissions or decisions that have the effect of restricting housing choices on the basis of race, color, religion, gender, disability, familial status or national origin.

Protected Class Members - Fair housing laws provide protection from discrimination in housing for certain groups, generally referred to as "protected classes." These groups have been included in fair housing laws because individuals have been identified over time as having difficulties in obtaining housing due to their status as a member of one of these groups.

APPENDIX C: PUBLIC AWARENESS SURVEY

Q.1	Hello, I'm from SMS, a Hawai'i research company. We are conducting a survey about housing and housing issues in Hawai'i. May I speak to the head of the household 18 years or older?		Under federal law, is it currently legal for an apartment building owner to assign families with younger children to one particular building?
	□ 1 Yes, I am 18 years or older □ 2 No, He/She is □ 3 No: Terminate		□ 1 Yes □ 2 No □ 3 Depends □ 4 Don't know □ 5 REFUSED
Q.2	[REINTRODUCE] Hello, I'm from SMS, a Hawai'i research company. We are conducting a survey about impediments to fair housing. I understand that you are the head of the household 18 years or older. [IF YES, ENTER (1) TO START]	Q.8	Here's another situation. In checking references on an application to rent a home, a homeowner learns that an applicant does not have the best housekeeping habits; they do not always keep their current home neat or clean. The owner does not want to rent to
	☐ 1 Yes ☐ 2 No, no such person		such a person
Q.3	Please be advised that my supervisor may be taping or monitoring this conversation for internal quality control purposes	Q.9	Regardless of what the law says, do you think the home owner should be able to reject this applicant because of his/her housekeeping habits?
	☐ 1 ENTER [1] TO CONTINUE		□ 1 Yes
Q.4	I'm going to tell you about several decisions made by owners of rental apartment buildings. For each decision, Id like your opinion about whether the owner should or		☐ 3 Depends ☐ 4 Don't know ☐ 5 REFUSED
	should not be allowed to make that decision. I'd also like to know whether you think the decision is legal or not legal under federal law. If you're not sure, just say so.	Q.10	Under federal law, is it currently legal for a home owner to reject the applicant because of housekeeping habits?
Q.5	An apartment owner who rents to people of		□ 1 Yes □ 2 No
	all age groups decides that families with younger children can only rent in one particular building, and not in others,		☐ 3 Depends ☐ 4 Don't know ☐ 5 REFUSED
	because younger children tend to make lots of noise and may bother other tenants.	Q.11	A home owner is renting to a tenant who uses a wheelchair. The building is old and
Q.6	Regardless of what the law says, do you think the owner of the apartments should be able to assign families with younger children to one particular apartment?	- Commission - Proposation - P	does not have a wheelchair ramp, and the tenant wants a small wooden ramp constructed at the building door to more easily access the building. He asks the owner if it is okay to build the ramp. The
	☐ 1 Yes ☐ 2 No ☐ 3 Don't know ☐ 4 REFUSED		tenant says he will pay all the costs, and agrees to have the ramp removed at his own expense when he leaves. The owner, however, believes that such a ramp will not look good on his building, and decides he does not want it constructed on his property
		1	• • • • • • • • • • • • • • • • • • • •

Q.12	Regardless of what the law says, do you think the home owner should be able to decide not to allow a wheelchair ramp to be constructed on the owner's property?		Regardless of what the law says, do you think the home owner should be able to reject this application because of the applicant's mental illness?
	□ 1 Yes □ 2 No □ 3 Depends □ 4 Don't know □ 5 REFUSED		□ 1 Yes □ 2 No □ 3 Depends □ 4 Don't Know □ 5 REFUSED
Q.13	Under federal law, is it currently legal for a home owner to decide not to allow a wheelchair ramp to be constructed on the owner's property?	Q.19	Under federal law, is it currently legal for a home owner to reject this application because of the applicant's mental illness?
	□ 1 Yes □ 2 No □ 3 Depends □ 4 Don't Know □ 5 REFUSED		□ 1 Yes □ 2 No □ 3 Depends □ 4 Don't Know □ 5 REFUSED
Q.14	A home owner places a notice on a community bulletin board to find a tenant for a vacant apartment. The notice says "Christians preferred."	Q.20	An apartment owner learns that an applicant for a vacant unit has a different religion than all the other tenants in the building. Believing that other tenants would object, the owner does not want to rent to such a person.
Q.15	Regardless of what the law says, do you think the home owner should be able to advertise an available apartment using the phrase "Christians preferred."	Q.21	Regardless of what the law says, do you think the apartment owner should be able to reject this application because of the applicant's religion?
	☐ 1 Yes ☐ 2 No ☐ 3 Depends ☐ 4 Don't Know ☐ 5 REFUSED		□ 1 Yes □ 2 No □ 3 Depends □ 4 Don't Know □ 5 REFUSED
Q.16	Under federal law, is it currently legal for a home owner to indicate a preference based on religion in advertising an available unit?	Q.22	Under federal law, is it currently legal for an apartment owner to reject this application because of the applicant's religion?
	☐ 1 Yes ☐ 2 No ☐ 3 Depends ☐ 4 Don't Know ☐ 5 REFUSED	T .	☐ 1 Yes ☐ 2 No ☐ 3 Depends ☐ 4 Don't Know ☐ 5 REFUSED
Q.17	In checking references on an application for rental unit, a home owner learns that the applicant has a history of mental illness. Although the applicant is not a danger to anyone, the owner does not want to rent to such a person.	Q.23	The next question involves a family selling their house through a real estate agent. They are Caucasian, and have only Caucasian neighbors. Some of the neighbors tell the family that, if a non-Caucasian person buys the house, there would be trouble for that buyer. Not wanting to make it difficult for a buyer, the family tells the real estate agent they will sell their house only to a white buyer.

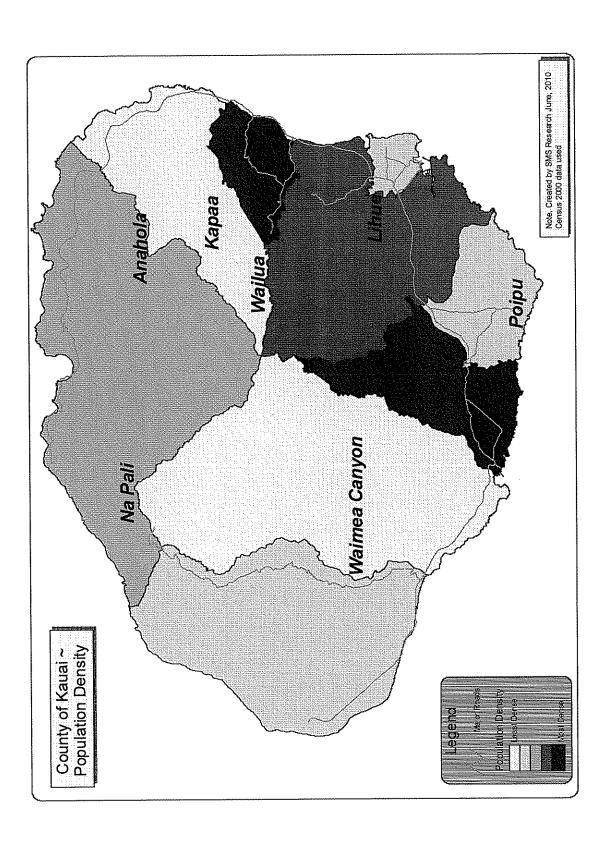
Q.24	Regardless of what the law says, do you think the home owner should be able to sell their house to a Caucasian buyer? 1 Yes 2 No 3 Depends 4 Don't Know 5 REFUSED	Q.29	Here's another situation: A Hawaiian person applies to a bank for a home mortgage. He does not have a steady job or enough income to pay a monthly mortgage payment. When the applicant did work, the job did not pay very much. Because of the lack of a steady job and insufficient income, the loan officer decides not to give this person a mortgage.
	Under federal law, is it currently legal for the family to sell their house only to a Caucasian buyer? □ 1 Yes □ 2 No □ 3 Depends □ 4 Don't Know □ 5 REFUSED Take another situation. A Caucasian family	Q.30	Regardless of what the law says, do you think the loan officer should be able to turn down the Hawaiian applicant because of the applicant's lack of a steady job and income? 1 Yes 2 No 3 Depends 4 Don't Know 5 REFUSED
Q.20	looking to buy a house goes to a real estate agent and asks about the availability of houses within their price range. Assuming the family would only want to buy in areas where white people live, the agent decides to show them only houses in all-white neighborhoods, even though there are many houses in their price range that are in other parts of the community	Q.31	Under federal law, is it currently legal for the loan officer to turn down the Hawaiian applicant because of the applicant's lack of steady job and income? 1 Yes 2 No 3 Depends 4 Don't Know 5 REFUSED
	Regardless of what the law says, should the real estate agent be able to decide to focus the home search on all-Caucasian areas? 1 Yes 2 No 3 Depends 4 Don't Know 5 REFUSED	Q.32	A Samoan family goes to a bank to apply for a home mortgage. The family qualifies for a mortgage but, in the bank's experience, Samoan borrowers have been less likely than others to repay loans. For that reason, the loan officer requires that the family make a higher down payment than would be required of other borrowers before agreeing to give the mortgage.
Q.28	Under federal law, is it currently legal for a real estate agent to decide to focus the home search on all-Caucasian areas? 1 Yes 2 No 3 Depends 4 Don't Know 5 REFUSED	Q.33	Regardless of what the law says, do you think the loan officer should be able to require higher down payments by Samoan families in order to get a mortgage? 1 Yes 2 No 3 Depends 4 Don't Know 5 REFUSED

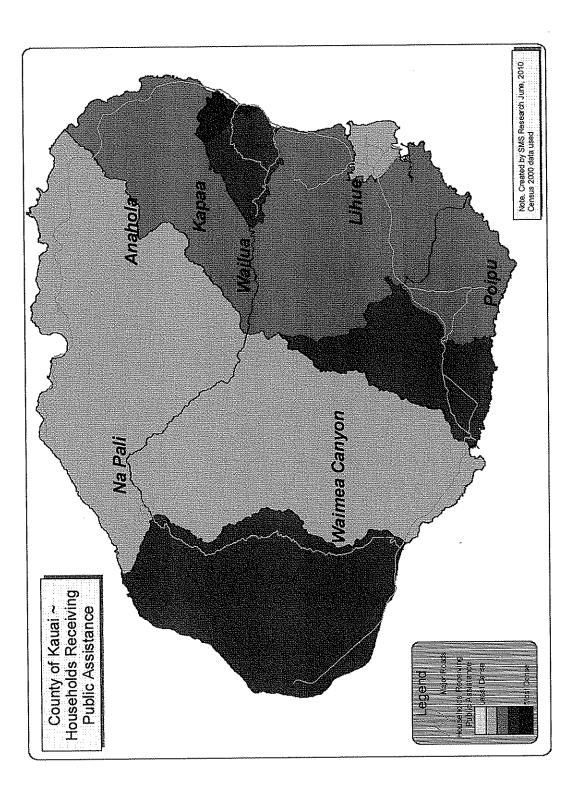
Q.34	Under federal law, is it currently legal for the loan officer to require higher down payments	Q.39	Please specify
	from Samoan families in order to get a mortgage?		
	□ 1 Yes	Q.40	Why did you not do anything about it?
	□ 3 Depends		
	□ 4 Don't Know □ 5 REFUSED	Q.41	Suppose you believed you were being discriminated against when you went to buy
Q.35	Do you think you have ever been discriminated against when you were trying to buy or rent a house or apartment?		or rent a house or apartment. What do you think you would do? Would you[READ LIST]
	 □ 1 Yes □ 2 No □ 3 Have not tried to buy or rent a house or apartment □ 4 Don't know □ 5 REFUSED 		 □ 1 Do nothing □ 2 Complain to the person who was discriminating □ 3 Complain to someone else □ 4 File a complaint with a government agency □ 5 Talk to a lawyer
Q.36	How many times in the last five years were you discriminated against while trying to buy or rent a house or apartment?		 □ 6 File a lawsuit □ 7 Seek help from a fair housing group or other organization □ 8 Something else
	□ 1 0 □ 2 1 □ 3 2		□ 9 DON'T KNOW □ 0 REFUSED
	□ 4 3 □ 5 4 TO 5	Q.42	Please specify
	☐ 6 6 to 10 ☐ 7 more than 10		
	□ 8 [HAVE NOT TRIED TO BUY OR RENT APARTMENT IN LAST 5 YEARS]□ 9 DON'T KNOW/REFUSED	Q.43	Suppose there's a community-wide vote on housing issues, and there are two possible laws to vote on. One law says that
Q.37	Did you do anything about it?		homeowners can decide for themselves whom to sell their house to, even if they prefer not to sell to people of a certain race,
	□ 1 Yes		religion, or nationality. Another law says that
	□ 2 No □ 3 Don't know		homeowners cannot refuse to sell to
,	□ 4 REFUSED		someone else because of their race, religion, or nationality. Which law would you
Q.38	What did you do about it? Did you[READ ANSWERS]		vote for?
	1 Complain to the person who was discriminating		☐ 2 Cannot refuse ☐ 3 Neither ☐ 4 Depends
	☐ 2 Complain to someone else ☐ 3 File a complaint ☐ 4 File a lowevit		☐ 5 Don't know ☐ 6 REFUSED
	 4 File a lawsuit 5 Sought help from a fair housing group or other organization 		
	☐ 6 Something else ☐ 7 DON'T KNOW		
	□ 8 REFUSED		

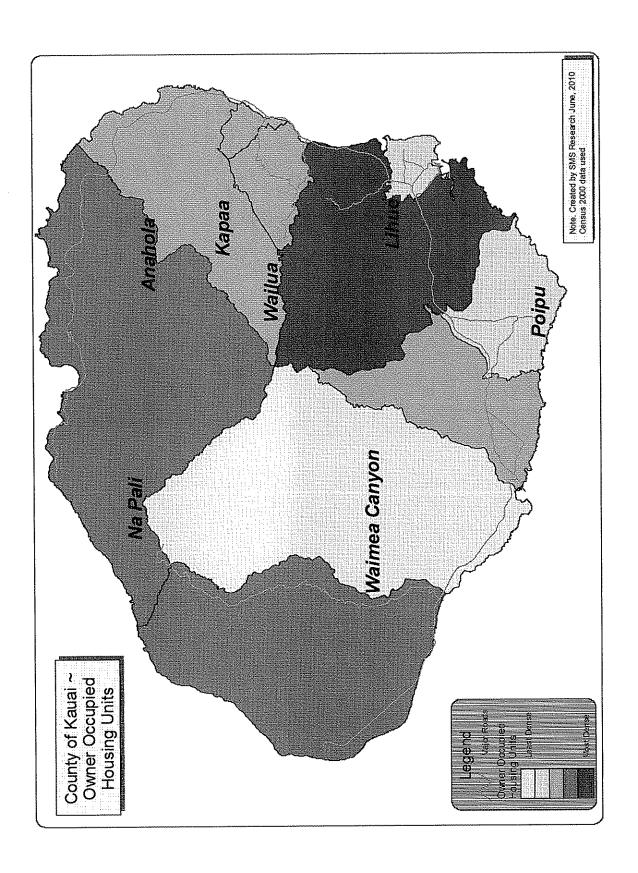
Q.44	Have you heard or seen advertising about housing impediments in the last three months?	Q.50	How many bedrooms is your house or apartment?
			□ 1 Studio
	□ 1 Yes		☐ 2 1 bedroom
	□ 2 No		☐ 3 2 bedrooms
	☐ 3 DON'T KNOW/REFUSED		☐ 4 3 bedrooms
			☐ 5 4 bedrooms
0.45	Where did you see or hear the advertising		☐ 6 5 or more bedrooms
GC. 10	pertaining to fair housing law?		□ 7 DON'T KNOW/REFUSED
	☐ 1 Newspaper ☐ 2 Magazines	Q.51	What is your employment status?
	□ 3 Radio		☐ 1 Employed full time [35+ hours/week]
	□ 4 Television		☐ 2 Employed part time
	☐ 5 Other		☐ 3 Unemployed
	— · · · · ·		☐ 4 Student
	□ 6 DON'T KNOW/REFUSED		5 Housewife
~	No. 1. Communication of the co		☐ 6 Retired
Q.46	We have a few census type questions for		7 DON'T KNOW/REFUSED
	classification purposes		U / DON I KNOWNEFOSED
Q.47	What is your age?	Q.52	What is your ethnicity?
	□ 1 18-24		☐ 1 Caucasian
	© 2 25-34		□ 2 Chinese
	□ 3 35-44		□ 3 Filipino
	□ 4 45-54		☐ 4 Hawaiian / Part-Hawaiian
			□ 5 Japanese
	□ 5 55-64		☐ 6 Other Asian
	6 65 and over		□ 7 Other Pacific Islander
	7 DON'T KNOW/REFUSED		□ 8 Other
Q.48	How many people live in your household?	0.52	Please specify
		Q.55	Flease specify
			Designation of the second of t
	□ 2		
	□ 3 3		188 Commenter of the co
	□ 4 4	Q.54	What was your household income last year,
	□ 5 5		before taxes?
	□66		
	D 7 7		☐ 1 less than \$20,000
	☐ 8 8 or more		□ 2 \$20,000 to \$29,999
	☐ 9 DON'T KNOW/REFUSED		□ 3 \$30,000 to \$39,999
			□ 4.\$40,000 to \$49,000
0.49	Do you own or rent your home or		□ 5 \$50,000 to \$74,999
~,	apartment?		□ 6 \$75,000 to \$99,999
	apon si isin.		□ 7 \$100,000 to \$149,999
	□ 1 Own		☐ 8 \$150,000 or more
	□ 2 Rent		☐ 9 DON'T NOW/REFUSED
	☐ 3 Occupy with no payment		
	□ 4 DON'T KNOW/REFUSED	Q.55	RECORD GENDER [DO NOT ASK]
			☐ 1 Male
			□ 1 Male □ 2Female
			U ZI OHIGIO

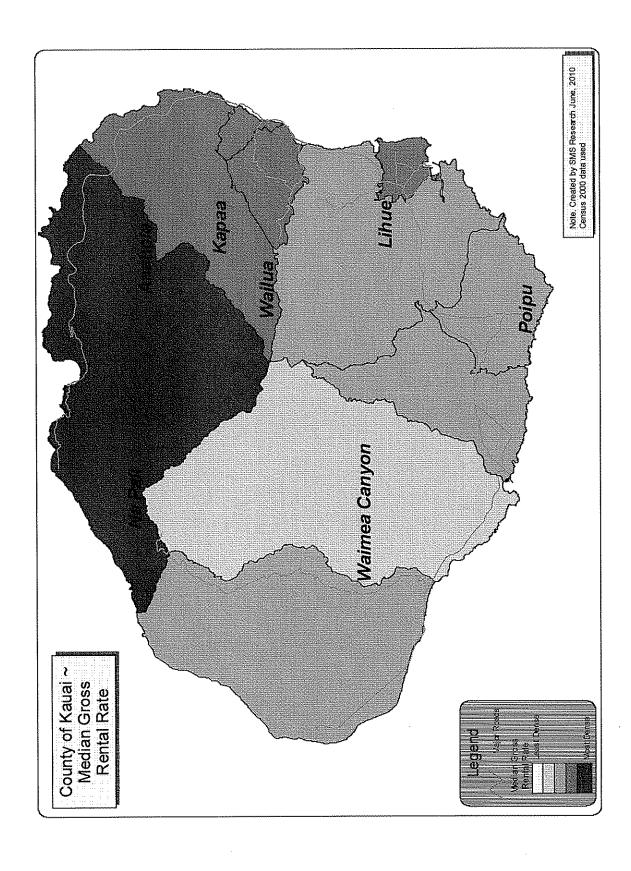
APPENDIX D: DEMOGRAPHIC AND HOUSING MARKET MAPS

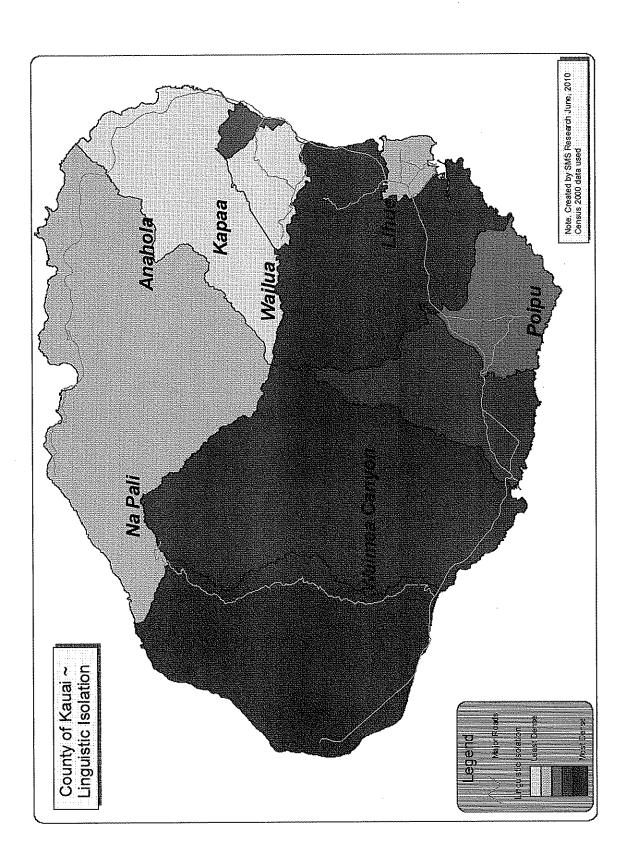
						sployasnoH	Owner	Renter	
				Median	Linguistically	Receiving	Occupied	Occupied	Median
		Total	Total	Household	Isolated	Public	Housing	Housing	Monthly
Name	Census Tract	Population	Households	Income	Households	Assistance	Units	Units	Rent
Hanalei	401	6,348	2,428	\$42,586	48	88	1,548	888	\$849
Kealia-Moloaa	402.01	3,123	696	\$35,777	ľ	137	651	327	\$673
Wailua-Kapaa Homesteads	402.02	7,750	2,799	\$46,337	23	171	1,699	1,103	\$703
Kapaa	403	7,652	2,516	\$39,924	84	282	1,409	1,095	\$648
Puhi-Hanamaulu	404	6,860	1,976	\$55,781	161	142	1,349	621	\$652
Lihue	405	5,162	2,014	\$42,563	41	113	1,145	863	\$661
Koloa-Poipu	406	5,404	1,977	\$48,053	29	144	1,136	837	\$625
Eleele-Kalaheo	407	7,441	2,606	\$52,005	85	181	1,814	786	\$615
Kaumakani-Hanapepe	408	3,438	1,120	\$41,048	127	118	547	576	\$165
Kekaha-Waimea	409	5,130	1,757	\$43,125	117	197	1,068	691	\$518
Nihau	410	155	39	\$25,927	18	0	0	30	\$0

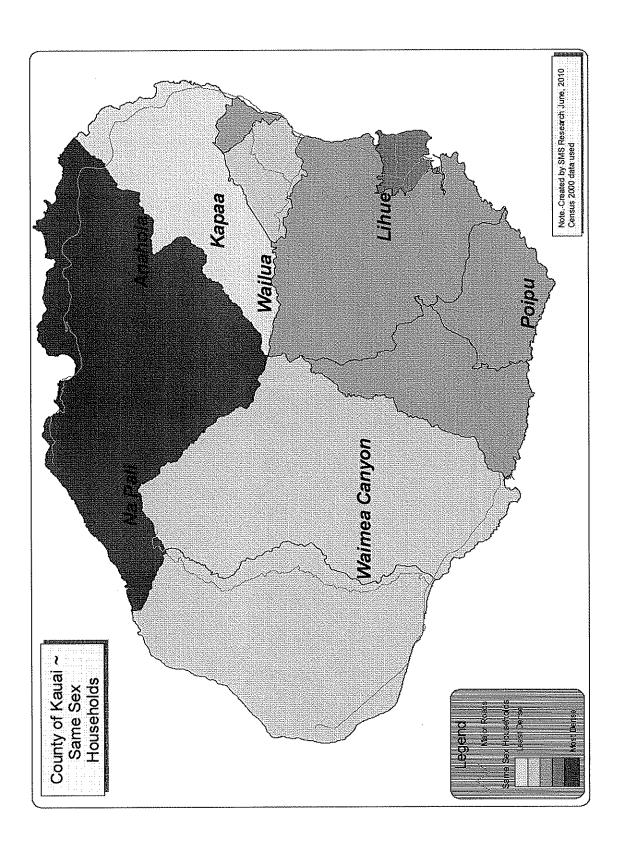






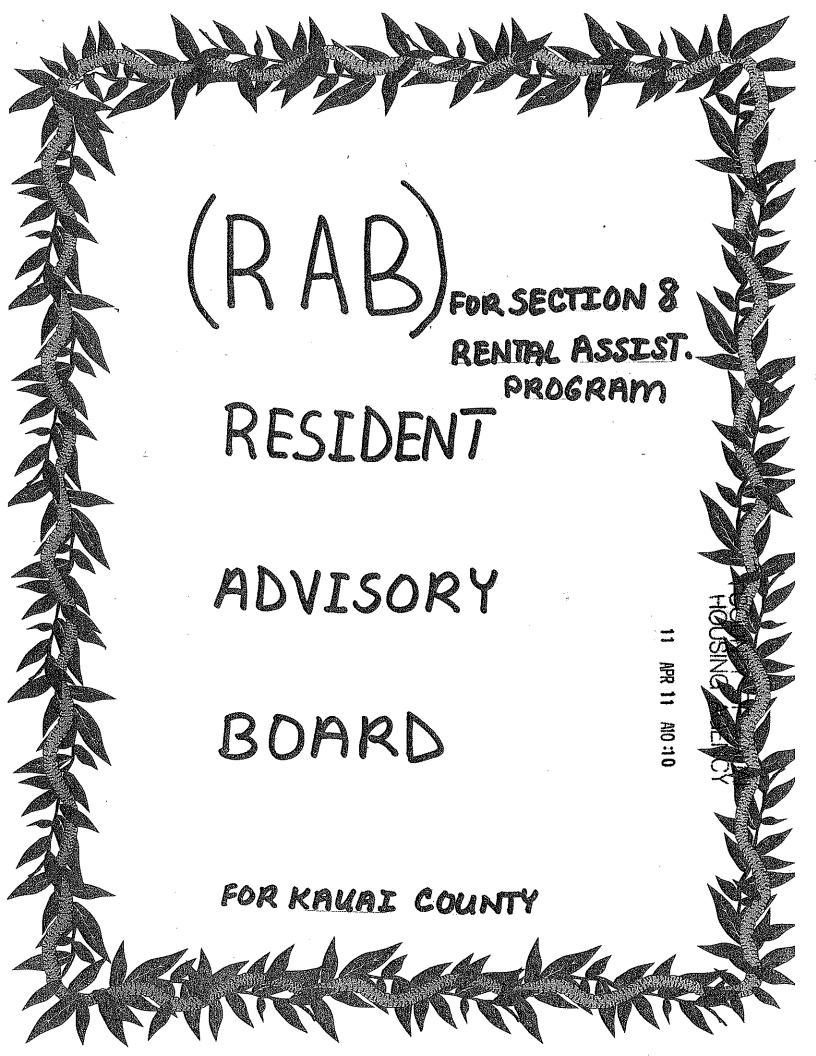






APPENDIX E: HAWAI'I CIVIL RIGHTS COMMISSION CASE LOAD, 1999 TO 2008

		1999-2002			2003-2008		Percent Change
Year	Total	avg/yr	pct	Total	avg/yr	pct	Fercent Oralige
Contacts	15,297	3,824	100%	45,868	9,174	100%	140%
no intake	11,467	2,867	75%	42,166	8,433	92%	194%
intakes	3,830	958	25%	4,684	781	10%	-18%
No Charges Made	1,240	310		919	153		-51%
Charges Filed	2,590	648	100%	3,765	628	100%	-3%
EEOC	2,253	563	87%	3,288	548	87%	-3%
public accommodations	177	44	7%	168	28	4%	-36%
housing	141	35	5%	292	49	8%	40%
State-funded services	19	5	1%	17	3	0%	-40%
Housing intake detail	141	35	100%	292	49	100%	38%
age	2	1	1%	10	2	3%	233%
ancestry	17	4	12%	35	6	12%	37%
color	3	1	2%	6	1	2%	33%
disability	50	13	35%	107	18	37%	43%
familial	18	5	13%	27	5	9%	0%
marital	9	2	6%	10	2	3%	-26%
race	19	5	13%	43	7	15%	51%
religion	0	0	0%	6	1	2%	
retaliation	16	4	11%	29	5	10%	21%
sex	6	2	4%	16	3	5%	78%
other	1	0	1%	3	1	1%	100%
New Cases							
Closures	1,982	496	100%	2,313	397	100%	-20%
EEOC	1,602	401	81%	1,922	320	83%	-20%
public accommodations	189	47	10%	163	27	7%	-43%
housing	171	43	.9%	284	47	12%	9%
State-funded services	21	5	1%	12	2	1%	-60%
Cause Determinations	112	28	100%	181	30	100%	8%
Geographic dist of all changes	2,558	640	100%	3,079	616	100%	-4%
Hawai'i	300	75	12%	358	72	12%	-5%
Honolulu	1,885	471	74%	2,276	455	74%	-3%
Kaua'i	100	25	4%	135	27	4%	8%
Maui	273	68	11%	310	62	10%	-9%



Dear Ms. Sandy Kaauwai Section 8 Program Manager,

Here are our resident recommendations from reading your PHA 5-YEAR and Annual Plan:

While reading thru the plan the number one problem that we encountered was that there were alot of missing pages such as pages: 21, 23, 25, 27, Sections G, I 29, J 29, 31, Sec. L 33, 35,37, 39; and there are two pages of each: pg. 19 & pg. 40.

Due to these missing pages as stated above, we were unable to make recommendations due to this fact; and that is because the questions that came to mind at that time, were unsolved. So that we recommend correlation of the report before submitting it for distribution.

Our further comments are as follows:

- <u>Pg. 20</u> Section 8's Waiting List while looking at the Elderly and People with Disabilities, HUD takes the persons gross income without looking at their medical expense being taken out, because that is the actual income level that they live off of.
- <u>Pg. 22</u> The statement of Families with Disabilities, it should be stated *Individuals with disabilities living in household*, we say this because <u>not</u> all people with disabilities live in a nursing home or assisted living facility; some do live on their own.

Pg. 24 - Why are the 2007 & 2008 figures being used from the DBRPT and not the 2010 Census report being used?

We do know that Kauai's population has grown, so why is it that there is an <u>Unknown</u> No. of households in need of supportive housing? So due to this fact we cannot recommend anything since there is no current data.

<u>Pg. 30</u> - As stated above, current data is very much needed, especially with the bad economic times that we are experiencing, this would increase the number of homeless people who need the county's help.

In closing, we Rita Manriquez and Marilyn "Momi" Herbert would like to "*Thank you*" for the privilege to be on the Section 8 Resident Advisory Board for the Term of 2011/2012.

Please feel free to contact us: Rita @ 821-8182 or Marilyn @ 332-0822 if there are any questions you'd like to ask,

sincerely,

Rita Manriquez

Marilyn Herbert

County of Kaua'i HCV Homeownership Program Statistics As of March 31, 2011

Active Homeownership Vouchers: 12
Active Monthly Homeownership HAP: \$7,802
New Homeownership Vouchers in 2011: 3

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan

Ι, _	Bernard P. Carvalho,	Jr.	the _	Mayor, County	of Kauai	certify	that	the	Five	Year	and
An	nual PHA Plan of the	Kauai	County	Housing Agency	is consiste	nt with	the C	Cons	olidat	ed Pla	n of
Clic	k to Enter Juristiction Na	ame	prepare	d pursuant to 24	CFR Part	91.					

Signed / Dated by Appropriate State or Local Official

Civil 3	Rights	Certification
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U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
Expires 4/30/2011

HI-005

Civil Rights Certification

Annual Certification and Board Resolution

Kauai County Housing Agency

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioner, I approve the submission of the Plan for the PHA of which this document is a part and make the following certification and agreement with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990, and will affirmatively further fair housing.

PHA Name		PHA	Number/HA	Code	
I hereby certify that all the informat	ion stated herein, as well as any information prov	vided in the a	ccompaniment herew	rith, is true and accurate. Warning: H	UD will
I hereby certify that all the informat prosecute false claims and statemen	ion stated herein, as well as any information prov ts. Conviction may result in criminal and/or civil	vided in the a penalties. (1	sccompaniment herew 8 U.S.C. 1001, 1010,	rith, is true and accurate. Warning: H 1012; 31 U.S.C. 3729, 3802)	UD will
I hereby certify that all the informat prosecute false claims and statemen Name of Authorized Official	ion stated herein, as well as any information provise. Conviction may result in criminal and/or civil Bernard P. Carvalho, Jr.	rided in the a penalties. (1	ccompaniment herew 8 U.S.C. 1001, 1010,	nith, is true and accurate. Warning: H 1012; 31 U.S.C. 3729, 3802) Mayor, County	
prosecute false claims and statemen	ts. Conviction may result in criminal and/or civil	penalties. (1	ecompaniment herew 8 U.S.C. 1001, 1010,	1012; 31 U.S.C. 3729, 3802)	
prosecute false claims and statemen	ts. Conviction may result in criminal and/or civil	penalties. (1	ecompaniment herew 8 U.S.C. 1001, 1010,	1012; 31 U.S.C. 3729, 3802)	

PHA Certifications of Compliance with PHA Plans and Related Regulations

U.S. Department of Housing and Urban Development Office of Public and Indian Housing Expires 4/30/2011

PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the PHA 5-Year and Annual PHA Plan

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the 5-Year and/orxx Annual PHA Plan for the PHA fiscal year beginning $\frac{7/1/20}{1}$ hereinafter referred to as" the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.

The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.

The PHA certifies that there has been no change, significant or otherwise, to the Capital Fund Program (and Capital Fund Program/Replacement Housing Factor) Annual Statement(s), since submission of its last approved Annual Plan. The Capital Fund Program Annual Statement/Annual Statement/Performance and Evaluation Report must be submitted annually even if there is no change.

The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.

The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.

The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.

The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.

For PHA Plan that includes a policy for site based waiting lists:

The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2006-24);

The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;

Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;

The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair

The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).

The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act

10. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.

11. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.

- 12. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
- 13. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
- 14. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
- 15. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
- 16. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
- 17. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
- 18. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
- 19. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
- 20. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
- 21. The PHA provides assurance as part of this certification that:

Previous version is obsolete

- (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
- (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
- (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
- 22. The PHA certifies that it is in compliance with all applicable Federal statutory and regulatory requirements.

Kauai County Housing Agency	H1-005
PHA Name	PHA Number/HA Code
5-Year PHA Plan for Fiscal Years 20 20	Proceedings of the Contract of
xx Annual PHA Plan for Fiscal Years 20 11 - 20	0_12_
•	
hereby certify that all the information stated herein, as well as any information	provided in the accompaniment herewith, is true and accurate. Warning: HUD v
hereby certify that all the information stated herein, as well as any information prosecute false claims and statements. Conviction may result in criminal and/or c	provided in the accompaniment herewith, is true and accurate. Warning: HUD v civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)
hereby certify that all the information stated herein, as well as any information perosecute false claims and statements. Conviction may result in criminal and/or conviction may result in criminal and/	provided in the accompaniment herewith, is true and accurate. Warning: HUD very provided in the accompaniment herewith, is true and accurate. Warning: HUD very penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802) Title
prosecute false claims and statements. Conviction may result in criminal and/or c	civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Page 2 of 2

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